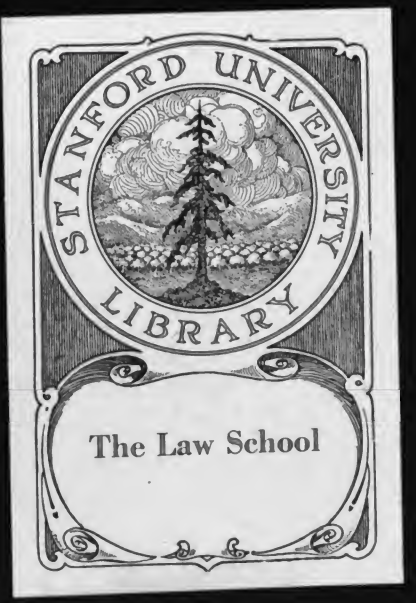
The bench and bar of New Hampshire

Charles Henry Bell



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THE BENCH AND BAR OF NEW HAMPSHIRE

INCLUDING

BIOGRAPHICAL NOTICES OF DECEASED JUDGES OF THE HIGHEST COURT, AND LAWYERS OF THE PROVINCE AND STATE AND A LIST OF NAMES OF THOSE NOW LIVING

BY

CHARLES H. BELL

BOSTON AND NEW YORK
HOUGHTON, MIFFLIN AND COMPANY
The Riverside Press, Cambridge
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To

HONORABLE CHARLES DOE, LL. D.

CHIEF JUSTICE OF THE SUPREME COURT OF NEW HAMPSHIRE,

THIS WORK IS RESPECTFULLY DEDICATED

BY THE AUTHOR.

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PREFACE.

I UNDERTOOK this work several years ago, by the desire and with the encouragement of a number of my associates at the bar, some of whom are no longer living.

In the preparation of it I have made use of all the public means of information within my reach, and of the manuscript biographical notices prepared by Dr. John Farmer, lent to me by Edward H. Spaulding, Esq.; also of notices and copies of bar and court records collected by Hon. Samuel D. Bell and furnished me by his sons, Hon. Samuel N. Bell and Hon. John J. Bell; of the sketches by Hon. William Plumer for which I am indebted to his granddaughter, Miss Mary E. Plumer; of a series of letters of Moody Kent, Esq., to his kinsman, George Kent, Esq., who presented them to me; and of notes by Hon. John Kelly, lent by Professor Bradbury L. Cilley. I have also made use of written and oral communications from Isaac Patterson, Esq., Hon. George W. Nesmith, Henry Heywood, Esq., Hon. James Wilson, John M. Shirley, Esq., Hon. Asa Fowler, John H. White, Esq. (now deceased), Charles E. Batchelder, Esq., Albert S. Batchellor, Esq., Edward S. Cutter, Esq., Otis F. Y. R. Waite, Esq., Hon. Ellery A. Hibbard, Hon. William D. Knapp, Hon. Joshua G. Hall, Miss Mary P. Thompson, and Dr. Samuel A. Green, to all of whom with others not named I hereby acknowledge my indebtedness and express my thanks.

My desire has been to include the name of every member of the bar who has ever lived and practiced in New Hampshire, but not those practitioners who were never admitted to the bar; nor members of the bar who practiced here, but whose homes were out of New Hampshire; nor those admitted to the bar who never practiced, or who practiced elsewhere.

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I am too well aware of the liability to mistakes in works of this class to expect this to be free from errors, though the utmost care has been taken to attain accuracy.

The preparation of this work has been to me a labor of love, and I now offer it in partial satisfaction of the debt I owe to a noble profession.

CHARLES H. BELL.

The entire text of this book with the exception of Hon. Jeremiah Smith's biographical notice of the author, the list of living lawyers, a portion of the index, and the table of contents were completed and for the most part printed before the death of Mr. Bell. The preface is from notes prepared by him and is substantially his work. The list of living lawyers has been completed with the kind assistance of Charles G. Conner, Esq., the clerk of the Court of Rockingham County. The death of the Hon. John J. Bell occurred after a considerable portion of the work had been printed, and for this reason the sketch of him is placed at the end of the volume. The same is true of the sketches of John W. Clark and A. M. Holbrook, the information required to prepare them having been received by Mr. Bell too late to insert them in the text in their alphabetical order. Some errors have been discovered, and a list of corrections will be found after the biographical notice of the author.

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BIOGRAPHICAL NOTICE OF THE AUTHOR.

It has seemed fitting that this volume should contain a short notice of its author, who died as it was passing through the press.

Charles Henry Bell, the son of John and Persis (Thom) Bell, was born at Chester, New Hampshire, November 18, 1823. He prepared for college at Pembroke Academy, and Phillips Exeter Academy; and was graduated at Dartmouth in 1844. He studied law with Messrs. Bell & Tuck of Exeter, and his cousin Samuel D. Bell of Manchester. After practicing for a short time in Chester, he became the partner of Nathaniel Wells of Great Falls. In 1854 he removed to Exeter, where he was at first associated with Gilman Marston. In 1856 he was appointed solicitor for Rockingham County, and was reappointed in 1861, serving until 1866. He represented Exeter in the lower branch of the legislature in 1858, 1859, 1860, 1872, and 1873. In 1860 he was elected Speaker of the House. He was a member of the state Senate in 1863 and 1864, and president of the Senate during the latter year. He was a Mason of high rank, and had served the Grand Lodge of New Hampshire as its highest officer. In March, 1879, Governor Prescott appointed him United States Senator, to serve until an election should be made by the legislature in the following June. In November, 1880, he was elected governor, an office previously filled by his father and his uncle. His gubernatorial term extended from June, 1881, to June, 1883. In 1889 he was president of the Constitutional Convention. He was for a long time a trustee of Phillips Exeter Academy, and latterly the president of the board. He served several years as president of the New Hampshire Historical Society. In 1881 Dartmouth College conferred upon him the degree of Doctor of Laws. In 1868 Mr. Bell gave up active practice at the bar, and

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thenceforth devoted himself largely to literary and historical pursuits. He published among other works, "Historical Sketch of Phillips Exeter Academy," "Memoir of John Wheelwright," and "History of Exeter." His last labor was performed on the present volume, the greater part of which was printed before his death, the manuscript being then complete save part of the index. He died at Exeter, November 11, 1893.

In 1847 Mr. Bell married Sarah A. Gilman. She died in 1850, and in 1867 he married Mrs. Mary E. Gilman, who survives him.

This bare array of facts and dates can, of course, give no adequate idea of Mr. Bell's value as a public man or of the worth of his literary and historical labors. The task of describing his worth in those aspects of it will, it is hoped, be undertaken by one who is fully competent to appreciate it. The chief purpose of the present sketch is to briefly delineate Mr. Bell as a lawyer.

Until his appointment as county solicitor in 1856, Mr. Bell had not been accustomed to take the lead in the trial of causes. It was not as common then as now for young lawyers to try their own cases, and he had had for his business associates, both at Great Falls and Exeter, men older and more experienced than himself. But his appointment as solicitor placed him at once in the forefront of battle, and subjected him to tests under which a weak man would have succumbed. He had to undergo comparison with Albert R. Hatch, his immediate predecessor in the office, and with John Sullivan, then attorney-general, who were both hard men to follow. But Mr. Bell stood the test successfully. The business of the State, whenever intrusted to him, was admirably performed. There were peculiar difficulties under which a county solicitor at that day labored. He was not only compelled to try causes against able counsel, but he was also sure, in a large class of cases, to encounter vehement prejudice on the part of many jurors. A considerable part of the state docket consisted of indictments for the violation of the Prohibitory Liquor Law. This statute had been passed only the year before Mr. Bell's appointment. Its enactment had been a political issue, and its repeal was urged by a powerful party, comprising very nearly half the voters of the State. It was inevitable that each panel should contain some jurors who were bitterly opposed to the law, and some of these men did not, at the outset of a trial,

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understand that the proper place to manifest their opposition was the ballot box, and not the jury room. Under these circumstances, it is not to be wondered at that, in a neighboring county, there was at that time great difficulty in securing convictions under this law. But the Rockingham County prosecutions were so well handled, that, when Mr. Bell had been in office two years, he was able to say that he had never yet addressed a jury in a liquor case without obtaining a verdict for the State.

From 1856 until his retirement from practice in 1868, Mr. Bell also took a prominent part in the trial of causes on the civil side of the court; and his name frequently appears in the New Hampshire Reports as counsel in cases carried up from the trial term to the law term. In his case, as in that of most lawyers, it is difficult to single out any one cause which deserves to be noticed above all others. Probably the most protracted, and also the most widely known, litigation in which he was engaged was the controversy between Dr. Bassett and the Salisbury Manufacturing Company on the subject of flowage and water rights; a controversy which, in some form or other, figured on the Rockingham docket for about twenty years. One of the ablest oral arguments Mr. Bell ever made before the full bench was in the equity suit between these parties, reported in 47 New Hampshire Reports, 426. His opponent was the veteran leader of the New Hampshire bar, Daniel M. Christie, who was deeply interested in a controversy in which he had been retained for more than a third of his long professional career. Mr. Bell's argument made an impression on at least one of his hearers which time has not effaced. It is believed that none of the other able counsel, who, at different periods in this long litigation, represented Dr. Bassett, ever made a better presentation of his case or a more complete answer to the other side.

As a jury lawyer Mr. Bell differed widely from most of the men then recognized as leaders of the bar. They were largely men of strength and character, but they had inherited from the preceding generation some undesirable ways. From an early day the demeanor of opposing counsel toward each other had generally been brusque, and sometimes rough. The treatment of witnesses on cross-examination was often very objectionable. In addresses to the jury, prolixity was the order of the day. For a long time there had been no rule of court limiting the length of

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the closing argument, and the custom was, with one or two notable exceptions, to discuss each case at inordinate length, dwelling on every minute point. In all these respects Mr. Bell had the independence to differ from the usages and traditions of the bar. He never failed in courtesy. An observer might well have applied to him the remark which Richard H. Dana made in reference to the eminent Massachusetts lawyer, Franklin Dexter: "He seems to be a gentleman practicing law, and not a mere lawyer." Mr. Bell treated every one in the court-room with the same civility that he exhibited towards his equals in social life. His bearing, there as everywhere, was dignified, but without any touch of austerity or superciliousness. He did not knowingly overstate his own case, or misstate that of his adversary. One could not but feel that here was a man whose first conscious desire was not that he might achieve victory, but that he might achieve it worthily; a man who did not adopt the pernicious maxim that the counsel should know no one except his client, but who recognized something higher than his obligation to his client; a man who made it his object to live up to his oath, that he would "do no falsehood nor consent that any be done in the court." Whatever could fairly be done for his side, he would do; but he would go no further. *Pro clientibus sæpe, pro lege semper*, was his motto.

With all Mr. Bell's courtesy and calmness, there was no lack of strength or force. Attorney-General Sullivan, the heir to distinguished talent in two generations, and himself one of the most eloquent and effective advocates of the day, is understood to have said of one of Mr. Bell's early efforts before a jury, that he had never heard a case better argued. Mr. Bell was capable of using sarcasm very effectively in rejoinder, but always within the bounds of the professional amenities. His arguments were generally brief, but clear. He did not waste his own time, or the time of the court. Almost never did he utter a superfluous sentence, and seldom an unnecessary word. "Clearness of statement," it has been well said, "is the great power at the bar." Mr. Bell possessed this faculty in a remarkable degree. His oral arguments had the crystal-like clearness which was so marked a characteristic of the written opinions of his cousin, the late Chief-Justice Samuel D. Bell. It is safe to say that he never sat down without making all his points fully understood. One great charm of Mr. Bell's speeches consisted in his admirable command of

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language. He always used the right word in the right place. Probably no man of his time at the New Hampshire bar could have better stood the test of a stenographic report. His off-hand sentences uttered in the court-room might well be held up to students as a model of pure and expressive English.

"He did not like a jury trial, and a jury trial did not like him" — was said of an eminent lawyer in another State. The first part of this statement may possibly have been true of Mr. Bell. But the last part certainly was not applicable to him. His experience with juries proves that courtesy and fairness are not insuperable obstacles to success, and that a man of ability and integrity can obtain verdicts without resorting to any small artifices or objectionable methods. He did not fawn upon jurors, or flatter them. He did not introduce irrelevant topics for the sake of exciting sympathy for his client or prejudice against his opponent. But his straightforward method of trying a case was more effective than the flank movements which are sometimes adopted.

Although usually calm and dispassionate, Mr. Bell was capable of feeling righteous indignation, and also of forcibly expressing it. In a congressional convention, in 1862, to which he was a delegate, the committee on credentials reported in favor of seating a certain claimant. Mr. Bell believed that this man had been guilty of dishonorable conduct in the method of his election. He stated the case to the convention in a scathing speech, which could hardly have occupied five minutes. The chairman of the committee, no mean antagonist, and moreover representing on that occasion the faction which succeeded in nominating its congressional candidate, tried to stem the tide. But Mr. Bell's burning words had done their work. The convention not only rejected the favorite of the committee, but went so far as to seat his rival.

The belief in Mr. Bell's fairness was universal. It was generally understood that he did not speak unless he had something to say, and that he expressed no opinion that he did not really entertain. "The character of the man stood behind the efforts of the advocate." Not only in the court-room, but also in the stormiest political gathering, he was sure of being listened to with attention. On one occasion, in a turbulent nominating convention, held in 1864, he was the only man on his side who could obtain a respectful hearing while the excitement was at its

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height. The last session that Mr. Bell served in the legislature, a measure was pending which aroused strong political feeling. The opponents of the bill put up man after man to speak against it, and consumed much time in this way. Meanwhile the friends of the measure confided to Mr. Bell alone the task of replying, and themselves sat silent, entertaining a just confidence that he, single handed, would prove a full match for the entire phalanx of the opposition.

No description of Mr. Bell as a lawyer can be complete which omits all mention of his contributions to the social life of the bar. Modern improvements in locomotion are rapidly eliminating the social feature from legal life in New Hampshire. But when he entered the profession, the railroads had not yet produced their full effect; the bar still congregated at the shire town throughout "court week," and comradeship was not entirely a thing of the past. No man was a more genial companion than Mr. Bell. In conversation he had no superior and few equals. He was not only a good talker, but also a good listener. He was not in the habit of monopolizing the conversation, or of relating anecdotes of which he was himself the hero. To listen to a familiar, off-hand talk between two such men as Mr. Bell and his intimate friend, Judge Bartlett, was a pleasure the like of which cannot be enjoyed in New Hampshire to-day. Both were full of knowledge of books, and both had a strong sense of humor, and a wonderful power of expression. The charm of such conversation is more easily felt than described.

It was probably the general opinion of Mr. Bell's friends that, though he was successful at the bar, yet the more appropriate place for him was the bench, where two near kinsmen had served with distinction. He certainly possessed marked qualifications for that position; a competent knowledge of law, practical experience, tact, sound sense, a dignified presence, and a power of controlling men which led to his attaining the rare distinction of being called upon to preside successively over the House of Representatives, the Senate, and the Constitutional Convention. Had he remained in active practice, he must erelong have been tendered a judgeship. If still at the bar, he could not have been passed over upon the reorganization of the court in 1876. One reason for his non-appointment at an earlier day is to be found in his unwillingness to push his own claims, and his willingness to

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recognize the claims of others. In 1861 he took an active part in canvassing the lawyers of his section in behalf of the appointment of Judge Bartlett; and, in 1869, he urged the appointment of Judge Foster. He preferred others in honor.

The readers of the admirable biographies in this volume must regret that the author's legal life could not be delineated by one who possessed his own rare qualifications for such an undertaking. But no such *alter et idem* is left behind him.

"The lips are silent which alone could pay
His worthy tribute."

JEREMIAH SMITH.

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ERRATA.

Page 91. At the end of the sketch of Judge Parker, for "He left no issue," read "He left a daughter, and a son who is a member of the Massachusetts Bar."

Page 134. Under Ellery A. Hibbard, for "1876," read "1874." Under William L. Foster, add "1876–1881," so as to read, "1869–1874 ; 1876–1881." Under Charles Doe, for "1859–1876," read "1859–1874," so as to read "J., 1859–1874 ; C. J. 1876–." Under Isaac W. Smith, for "1874," read "1874–1876 ; 1877–."

Page 254. Under Francis Russell Chase, lines 8 and 9, for "the latter year," read "in 1854."

Page 298. Under Charles William Cutter, for "Hatfield," read "Chatfield."

Page 412. At the end of the sketch of William Henry Young Hackett, for "Of their three children the two sons became lawyers," read "Mr. Hackett had four children, two daughters and two sons."

Page 415. Under John P. Hale, LL. D., line 3 from bottom, for "In 1842 he was elected to Congress, and reëlected two years later, serving four years," read "In 1843 he was elected to Congress, and served one term in the House."

Page 478. Under Jonathan Kittredge, line 4, for "1856" read "1855." Line 7, for "two" read "four."

Page 499. Under Gilman Marston, line 3 from bottom, for "1857" read "1859."

Page 613. Under Amasa Roberts, for "He never married" read "He left a widow but no children."

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JUDGES OF THE HIGHEST COURT,

IN CHRONOLOGICAL ORDER.

DECEASED JUDGES.

RICHARD MARTYN.

CHIEF JUSTICE 1693–1694.

RICHARD MARTYN was a merchant, and a resident of Portsmouth as early as 1660, when he received sixty-two acres in an allotment of lands to the inhabitants. About that time he subscribed two pounds for "the maintenance of the minister," and in 1671 he was one of the founders of the Congregational Church in Portsmouth. He was one of the selectmen in 1668, and for six of the ten succeeding years. In 1671 he was a commissioner for the trial of small causes, and in 1672 and 1679 a deputy to the General Court of Massachusetts. In President Cutt's commission he was named a councilor of the province of New Hampshire, and filled the office till 1683, when he was removed by Governor Cranfield. During Cutt's administration he was also treasurer of the province, and was afterwards sued by Governor Cranfield and Robert Mason for the recovery of the fines and forfeitures which he had received, and had disbursed on the order of the council. Judgment went against him in the provincial court, but was reversed by the King in Council.

In October, 1692, Mr. Martyn was one of the representatives of Portsmouth in the New Hampshire provincial Assembly, and was chosen Speaker. Governor Allen, in December following, appointed him a Judge of the Court of Common Pleas, and the next year Chief Justice of the Supreme Court of Judicature, and he administered the office till his death, April 2, 1694. He appears to have possessed intelligence and good business qualifications,

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and to have performed his public trusts acceptably; and has been justly characterized as a "leading man in church and state."

His first wife, whom he married December 1, 1653, was Sarah, daughter of John Tuttle of Boston, Massachusetts; his second, Martha, daughter of Samuel Symonds and widow of John Denison of Ipswich; his third, Elizabeth, daughter of Henry Sherburne, and widow of Tobias Lear; his fourth, Mary Benning, widow of Samuel Wentworth of Portsmouth. By his first marriage he had four or five sons and four daughters.

ROBERT WADLEIGH.

JUSTICE 1693–1697.

Robert Wadleigh lived in Wells, Maine, in 1653, and was town clerk there in 1659. In 1666 he bought land at what has since been called Wadleigh's Falls, on the Lamprey River, now in Lee, built a house and mills there in company with one Listen, and removed thither with his family. In 1676 he was accepted as an inhabitant of Exeter, and spent the rest of his life in that place. He was then a man of mature years, and had five sons, some of them approaching manhood. In 1680 he was chosen a deputy to the provincial Assembly, and acted as its clerk. In 1681 the town made him a grant of two hundred acres of land. In 1682 he paid the largest tax in the town.

The next year Walter Barefoote, probably as agent of Robert Mason, brought a suit against him to recover some part of his lands. Wadleigh resisted, and happily recovered a verdict, which, however, was appealed from to the King. Thereupon Wadleigh, who was determined and full of energy, sailed for England to defend his rights, and made so favorable an impression upon the Privy Council that he not only procured the dismissal of the appeal, but was soon after appointed a councilor, doubtless by their action.

Another probable cause of his visit to England was the fact that three of his sons were under condemnation here for taking part in "Gove's rebellion" against Cranfield's tyrannical administration. They were soon after set at liberty.

His service as councilor continued from 1684 to May, 1686. He was a justice of the peace in 1686 and probably for the rest of his life, and in 1692 was an "assistant" in the Court of Common Pleas.

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On October 30, 1693, he was appointed a Judge of the Superior Court, and was in office till April 27, 1697, when a new commission was issued. He was a man of more than ordinary education, independent, resolute, a friend of the people, and intrusted by his townsmen with important affairs.

He left a considerable number of descendants.

WILLIAM PARTRIDGE.

J. 1693–1697.

According to Belknap's History, William Partridge was a native of Portsmouth, a shipwright of an extraordinary mechanical genius, of a politic turn of mind, and a popular man. He was largely concerned in trade, and was well known in England, through his having supplied masts and timber for the navy. He was treasurer of the province as early as 1692, and in October, 1693, was made a Judge of the Superior Court, and remained upon the bench until 1697. In 1696 some of the leading men of Portsmouth, who disapproved of the conduct of Lieutenant-Governor Usher, made interest for the appointment of Partridge to supersede him. Partridge accordingly went to England, and, through the influence of Sir Henry Ashhurst, it is said, returned with the desired commission. For some reason it was not immediately published, and was not recognized by Usher, but on its being proclaimed in December, 1697, Partridge entered upon the duties of his office, not, however, to enjoy it uninterruptedly, for Usher died hard, and was for a time reinstated, but eventually was obliged to yield. Partridge remained lieutenant-governor till 1703. In that year he quitted New Hampshire and removed to Newbury, Massachusetts, and there died January 3, 1729, in the 75th year of his age.

His wife was Mary Brown. They were married December 8, 1680, and had three sons and two daughters. One of the latter became the wife of Governor Belcher.

JOSEPH SMITH.

J. 1693–1696. C. J. 1696–1697; 1698–1699.

Joseph was a son of Robert Smith, one of the signers of the Exeter Combination in 1639. He was born about the year 1653,

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either in Exeter or in Hampton, to which place his father removed, and where he himself passed his adult life. He was many years in public employment. He was a representative in the provincial Assembly in 1692, 1708, 1709, and 1716, at least; selectman of Hampton seven years, and a justice of the peace as early as 1708.

His first commission as an assistant Justice of the Superior Court was dated in 1693, and he acted as such until 1696; then he was advanced to the position of Chief Justice, which he held, with perhaps a slight interval, till 1699.

In 1696 he was treasurer of the province, and in 1698–99 was of the council. In King William's war he was much engaged in military affairs, being then a major of the militia. He also held the office of Judge of Probate from 1703 to 1708. It is evident that he was a useful and much trusted citizen.

He left no descendants, though he was thrice married; first, to Dorothy, eldest daughter of Rev. Seaborn Cotton; second, April 17, 1707, to Mary, daughter of Captain William Moore; and last, February 16, 1709, to Mrs. Elizabeth Marshall, who outlived him. He died November 9, 1717.

NATHANIEL WEARE.

C. J. 1694–1696.

Nathaniel Weare, whose father bore the same name and was an early proprietor of Newbury, Massachusetts, was born in England in 1631, and became a resident of Hampton, where he was a well-esteemed citizen. When Robert Mason attempted to assert his claims to the ownership of the soil of New Hampshire against the *bonâ fide* occupants, by the aid of venal and corrupt officials, Mr. Weare distinguished himself by his resolute stand against him, and was chosen by the inhabitants, outraged by the arbitrary conduct of Governor Cranfield, to go to England and lay their complaints and petition for his removal before the King. He afterwards made a second voyage to England as attorney for William Vaughan in his appeals from the judgment obtained by Mason against him in a land suit, and in other matters. Weare was successful in part, and gained much credit by his conduct of the business. He was ever on the side of the people, in their struggles against the invasion of their legal and civil rights.

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After the overthrow of the Andros government in New England in 1689, New Hampshire being without an executive, an attempt was made to restore authority by the election of commissioners from the several towns, empowered to meet and conclude upon a form of government *ad interim*. Mr. Weare was chosen one of the commissioners from Hampton; but the plan was not carried out. He was also sent as one of a committee from Hampton to advise with others at Portsmouth, as to what was necessary to be done in defense of the province against the incursions of the savage enemy in King William's war.

In 1692 he was chosen by Lieutenant-Governor Usher and council a councilor of the province, and in April, 1694, was appointed Chief Justice of the Superior Court, as successor to Richard Martyn, and presided in the court until 1696.

He retained his seat in the council until January, 1698–99, and then, on occasion of some difference with Governor Allen, was by his own decree excused from further attendance. He resumed his place at the council board upon the publication of Governor Bellomont's commission in 1699, and until 1715, when he retired from public employment. He died May 13, 1718.

He married Elizabeth Swain, December 3, 1656. She died about 1660. He took for his second wife Huldah Hussey, November 9, 1690. His two sons, Peter and Nathaniel, were Judges of the Superior Court, as was his grandson, Meshech; and also Chief Justice.

JOB ALCOCK.[1]

J. 1697–1699.

Job Alcock (sometimes spelled Alcot) was born about 1640, and was a son of John Alcock, who was living in York, Maine, before 1675. The son was appointed lieutenant in the company of militia in that town in 1668, and afterwards captain. Under the second charter of Massachusetts he was in 1691 made a councilor for Maine, and subsequently a Justice of the Inferior Court of Common Pleas, there. His garrison house in York was one of the places of refuge for the whites, when the Indians made

[1] In some of the lists of Judges that have been published, the name of Job *Clements* is given, instead of Alcock. The latter, however, is correct, as an inspection of the original council records demonstrates.

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their descent upon that place in 1692. Williamson, in his History of Maine, describes him as "one of the ancient, most substantial and wealthy inhabitants" of York.

It was probably not long after 1692 that he removed his residence to Portsmouth. In February, 1697, he was sworn as a justice of the peace for the province of New Hampshire, and in the following April he was appointed an associate Judge of the Superior Court. In February, 1699, a new commission issued, and terminated his connection with the court.

He was living in Portsmouth in January, 1700, when Samuel Wentworth of Wells, Maine, nominated him one of the overseers of his will. He died in 1716, and left a widow, Dorothy, but no children.

PETER COFFIN.

C. J. 1697–1698. J. 1699–1712.

Peter Coffin was the eldest son of Tristram Coffin of Nantucket, Massachusetts, and was born in Devonshire, England, in 1630. He removed to Dover before 1650, and as early as 1690 to Exeter, where he resided the remainder of his life. At one time he was in company with Major Richard Waldron, and traded with the Indians. As a merchant he was successful in business, and acquired a large landed property. In Dover he was selectman and town treasurer, each some years; and was deputy to the General Court in Boston in 1672, 1673, and 1679. In 1693 he was appointed councilor, and served, with some interruption, until near the close of his life.

At the attack of the Indians upon the inhabitants of Dover, when the tragical death of Major Waldron occurred, the savages broke into Coffin's house, and finding a bag full of money there, compelled him to scatter it upon the floor while they scrambled for it. On their failure to effect an entrance into his son's garrison, they threatened to kill the father unless his son opened his doors to them. The younger man then surrendered, but the guard placed by the Indians over the family was so negligent that they all escaped.

The next year Coffin took up his residence in Exeter, where he was received as an inhabitant, had a grant of land, and was employed frequently in town affairs. It was while he lived in

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Exeter that he served as councilor and as a member of the Superior Court, first as Chief Justice about a year, and later as an "assistant" for twelve years. He died there, March 21, 1715, "a gentleman very serviceable to church and state," according to his obituary.

His wife was Abigail, daughter of Edward Starbuck. He had five sons and four daughters, and his descendants are numerous.

JOHN GERRISH.

J. 1697–1698; 1699–1714.

John Gerrish was of Dover. He was the son of Captain William and Joanna (Oliver) Gerrish, and was born probably in Newbury, Massachusetts, May 15, 1646. He was living in Dover as early as 1660, when he received from Major Richard Waldron a conveyance of part of a mill and a hundred acres of land, and ten years after, of a house partly finished. These were perhaps the dowry of Waldron's daughter, whom Gerrish married. He took the oath of a freeman in 1669. In 1684 he was a deputy from Dover to the provincial Assembly, and was styled captain, having the command of a troop of horse in the militia. In 1689 he was a member of the convention "to resolve upon some method of government," after Andros's deposition. He became councilor in 1692; in 1697 a Judge of the Superior Court, to which position he was again appointed in 1699, and retained his commission till his death in 1714, though he attended court but once after February, 1708–9, and that was in February, 1712–13. At the August term, 1713, he was absent by reason of sickness, as appears by the record.

He had six sons and two daughters.

KINSLEY HALL.

J. 1698–1699.

Mr. Hall was a son of Ralph and Mary Hall, and was born in the year 1652. His father was one of the signers of the Combination in Exeter, and the son resided there, though he may have been a native of Dover. He was a man of much intelligence and efficiency; was a selectman of Exeter several years, town clerk, and a representative in the provincial Assembly in

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1694 and 1695. During King William's war he was often employed in a military capacity, having the then important commission of captain, and rendered valuable service. He was one of the justices of the peace, and in 1698 was appointed a Judge of the Superior Court, and sat as such till 1699.

He was twice married. His first wife was Elizabeth, daughter of Rev. Samuel Dudley of Exeter. He had five or more children, and died in Exeter in 1736.

SHADRACH WALTON.

J. 1698–1699.

George Walton, the father of Shadrach, was a signer of the Exeter Combination in 1639, and afterwards removed to Great Island, where his son Shadrach was born in 1658, and resided afterwards. The latter became a man of property and influence, and distinguished himself in the Indian wars, rising to the dignity of colonel of the New Hampshire forces, in which capacity he assisted in the reduction of Port Royal, in 1710. In 1716 he was appointed to the council, and continued in it until he became the senior member and president thereof, and until his death. Governor Shute appointed him in 1722 to the command of the forces raised for the expedition against Penobscot, whereby Walton became involved in an unpleasant controversy between the governor and the General Court of Massachusetts.

Colonel Walton was a Judge of the Court of Common Pleas from 1695 to 1698, and again from 1716 to 1737. He was appointed a Judge of the Superior Court in 1698, and was superseded by the new commission in 1699. He lived until October 3, 1741.

By his wife, Mary, he had two sons and four daughters.

RICHARD HILTON.

J. 1698–1699.

Richard Hilton was a son of Captain William Hilton, and a grandson of Edward Hilton, the emigrant. He lived in that part of Exeter which is now South Newmarket, and in later life is said to have removed to Portsmouth. He administered the estate of his father, and was a selectman of Exeter seven of the years between 1692 and 1716. In 1698 there was assigned to him a

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place for a pew in the new meeting-house, for himself, his wife, and four children. As early as the year 1700 he had a right of ferry granted to him between Exeter and Stratham.

He received the appointment of Judge of the Superior Court in 1698, and served something less than a year, when a change was made. He was living in 1736.

His wife was his cousin Ann, daughter of Edward Hilton, Jr. They had five sons.

JOHN HINCKES.

C. J. 1699–1704.

Mr. Hinckes is understood to have been of English birth, and to have come to Great Island subsequently to 1670. He was not a lawyer, but probably a merchant, and possessed considerable ability, though not much firmness of principle. In 1683 he was chosen with three others by Governor Cranfield and his council as a member of that body, in place of others arbitrarily removed. He received the appointment of "assistant" to Robert Mason as Chancellor to the province, and was one of the three persons to whom Cranfield ordered Rev. Joshua Moody to administer the sacrament of the Lord's Supper in the Episcopal form, in 1683. Mr. Hinckes was named one of "the council for New England" in Governor Dudley's commission in 1686, and a councilor for New Hampshire in Governor Allen's in 1692. He continued in the latter capacity a large part of the time till about the year 1710, and acted as president of the council in the absence of the governor and lieutenant-governor.

Upon the reorganization of the judiciary in 1699, he received the appointment of Chief Justice of the Superior Court, and retained the same until 1704, when he left the country "without leave," and Richard Waldron was named councilor by mandamus in 1711, in his stead.

During the administration of Andros he was appointed captain of the fort at Great Island, and in 1707 John Cross, who had been a soldier under his command, petitioned the governor and council for redress, alleging that Hinckes had received twenty-nine pounds from the treasury, belonging to the petitioner, and had clandestinely gone out of the province without paying him. The governor and council granted Cross leave to bring a suit in the

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provincial courts *in formâ pauperis*, for the recovery of the money. Judge Hinckes afterwards returned to New Hampshire, it is believed, and is said to have died in Newcastle in 1734.

His wife was Elizabeth, daughter of Nathaniel Fryer, and he left descendants.

JOHN PLAISTED.

J. 1699–1716. C. J. 1716–1717.

John Plaisted was the son of Lieutenant Roger Plaisted of Kittery, Maine, was born near the year 1660, and went to live in Portsmouth when he was aged about nineteen. There he married Mary, daughter of Captain John Pickering, and became a popular and prominent citizen. He was a representative in the provincial Assembly in 1692 and for several succeeding years, and Speaker of the House in 1696. In 1702 he became a member of the council, and so continued (with possible intervals) till 1716. The commission of a Judge of the Superior Court was awarded him in 1699, and he attended every term of the Court as such to the time of his appointment as Chief Justice in August, 1716. As Chief Justice he attended but a single term. His death probably occurred in 1717, although the statement of one of his descendants would fix it at a date considerably later.

WILLIAM VAUGHAN.

C. J. 1708–1716.

William Vaughan was a grandson of Sir Roger Vaughan of Glamorganshire in Wales. He received a mercantile education under Sir Josiah Child in London, and came to Portsmouth as a merchant in 1664, when twenty-four years of age. He was successful in business and acquired wealth, and being generous, public spirited, and resolute, he bore a very prominent part in the early history of New Hampshire. He was admitted a freeman of Massachusetts in 1669, and was soon after made a lieutenant of cavalry under Captain Robert Pike. From 1676 to 1680 he served as one of the selectmen of Portsmouth, and repeatedly afterwards.

He was a member of President Cutt's council, and of those of several of his successors, holding his seat with various interrup-

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tions till 1713. In the first two years of the provincial government he sat as a Judge of the Court of Common Pleas; and in 1683 he was by Governor Cranfield's appointment a member of the special Court for the trial of Edward Gove and others for treason. He was found too independent and too watchful of the interests of the people to suit Cranfield, who displaced him from the office of councilor. Vaughan took part in the movement for forwarding a complaint to the King to procure Cranfield's removal from the governorship, and thereby excited the ire of that despotic ruler, who treated him with insolence, and illegally committed him to prison, where he was detained nine months, to the great injury of his health.

He was one of those against whom Robert Mason, as proprietor of New Hampshire, brought suit to recover the lands they occupied, and was the only one who appealed from the adverse decision of the Court, though his appeal was really for the benefit of the whole. Mr. Vaughan was awhile treasurer of the province, and for a number of years recorder of deeds; he was also prominent in military affairs, and at one time was in command of the entire militia force of the province. In August, 1708, he was appointed Chief Justice of the Superior Court, and retained that commission till February, 1716, though he last appeared in court in August, 1714. He died November 12, 1719. He was an honest and courageous supporter of the people's rights and interests, and was the object of their warm affection and admiration.

He married, December 8, 1668, Margaret, the younger daughter of Richard Cutt, and was the father of two sons and six daughters. His son George was lieutenant-governor of New Hampshire.

MARK HUNKING.

J. 1712–1729.

Mark Hunking is understood to have been a son of John Hunking, and to have been born in Portsmouth, May 17, 1670. He was a representative, and Speaker of the Assembly; and in 1710 was brought into the council, where he kept his seat till 1728. He was chosen recorder of the province in 1722, and again in 1726 for three years.

In 1712 he was commissioned a Judge of the Superior Court, and is supposed to have remained in office till 1729, though the

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absence of dockets for a part of that time renders the duration of his service uncertain. He is said to have deceased about the year 1731. The fact that there were several contemporaries of his, bearing the same name, so that it is not easy to distinguish one from the others, makes any extended biographical sketch impracticable.

SAMUEL PENHALLOW.

J. 1714–1717. C. J. 1717–1726.

This gentleman was born in St. Mabon, Cornwall, England, July 2, 1665. He came to this country with his preceptor, Rev. Charles Morton, in 1686. The Society for Propagating the Gospel in Foreign Parts offered him strong inducements to become a missionary among the Indians, but on account of the unsettled state of affairs in the country he preferred to remove to Portsmouth, and engaged in trade. Marrying the daughter of President John Cutt, he came into possession through her of a large estate, which he much increased by his successful business operations. He lived in handsome style, and was hospitable, notably to strangers, and charitable.

In 1698 and several subsequent years he was a representative in the Assembly, and in 1700 was Speaker. Near the same time he was made collector of the port. In 1702 he was appointed to the council, and remained in it as long as he lived, with the exception of a short suspension by Lieutenant-Governor Vaughan.

Several years he was chosen by the House of Representatives recorder of deeds, and as such was required by Lieutenant-Governor Usher, under the authority of the Lords of Trade and Plantations in England, to deliver the records and files of the courts, which had been deposited with the recorder by order of the General Court, to the secretary of the province. Penhallow refused to do so without an act of the General Assembly authorizing it; and neither threats nor persuasions could prevail upon him to obey an order which he regarded as a violation of duty and prejudicial to the interest of the people.

In 1714 he was commissioned Justice, and in 1717 Chief Justice, of the Superior Court. There he continued to preside as long as his life lasted. His mental powers, his education, and his familiarity with public business rendered him a valuable and excellent judge. In 1714 the office of secretary of the province was also

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conferred upon him, and he discharged its duties up to the time of his decease well and faithfully, as he did all the various public trusts that devolved upon him.

In the war against the Eastern Indians Mr. Penhallow served as a captain, and subsequently was the author of a history of the wars with those Indians from 1703 to 1726, which was published in the latter year. It is a work of authority, and has been twice reprinted.

He died in Portsmouth, December 2, 1726.

He had four sons and five daughters, and there are many of his descendants living.

THOMAS PACKER.

J. 1717–1724.

Thomas Packer, a native of London, England, was bred a surgeon, and came to this country while a young man. After a short stay in Salem, Massachusetts, he settled in Portsmouth, where he practiced medicine and surgery, and acquired distinction. For some years he devoted much attention to the duties of divers public stations. He was a Judge of the Court of Common Pleas and also Judge of Probate, and a lieutenant-colonel in the militia. From these offices he was relieved about 1697 by reason of political disputes; but afterwards, in quieter times, he was made a councilor, which he continued to be from 1719 to the time of his death. He was also a member and Speaker of the House of Assembly for one or more years, before his appointment to the council.

He was a Judge of the Superior Court for about seven years; from January, 1717, to his decease.

He was married, August 7, 1687, to Elizabeth, widow of Joseph Hall, and a niece of Major Richard Waldron of Dover. They had children.

GEORGE JAFFREY.

J. 1717–1726. C. J. 1726–1732; 1742–1749.

Mr. Jaffrey was the son of the early councilor of the same name, and was born in Great Island, November 22, 1682. He graduated from Harvard College in 1702, and was the first man of a liberal education who appeared on the bench of New

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Hampshire. He became an inhabitant of Portsmouth, and represented that town in the provincial Assembly in 1710 and several succeeding years. In 1717 he was of the council, and the same year was placed upon the bench of the Superior Court as an associate. In the latter capacity he acted until 1726, when upon the death of Samuel Penhallow he was commissioned Chief Justice, and made treasurer of the province. Henry Sherburne appears to have been Chief Justice early in 1732, and Judge Jaffrey is supposed to have resigned at that time. Judge Sherburne ceased to preside in that court in 1742, when Jaffrey was recommissioned Chief Justice, and the latter office he filled till his death, May 8, 1749. He also remained treasurer as long as he lived. His long service in public offices indicates the confidence he inspired in his ability and integrity.

He married, January 10, 1710, Sarah, daughter of David Jeffries of Boston, Massachusetts. She died, January 12, 1734, and he married, March 9, 1738, Mrs. Sarah McPhedris, a daughter of Lieutenant-Governor John Wentworth. By his first marriage he had a son of his own name and three or four daughters.

PETER WEARE.

J. 1726–1730.

Peter, the son of Nathaniel Weare, was born in Newbury, Massachusetts, November 15, 1660, and lived in Hampton, afterwards Hampton Falls. He was admitted to a seat in the council in 1698, but apparently went out with Allen's government the next year. He was then styled lieutenant; he afterwards rose to be major and colonel. He was a representative from Hampton in the Assemblies from 1715 to 1728, with scarce an exception, and Speaker of the House in 1722. He appears to have been a man of decided opinions, who spoke his mind with much candor, and a useful public servant, being repeatedly a member of important commissions.

It is understood that he received his appointment to the bench of the Superior Court in 1726, and retained it till 1730.

He married Elizabeth, probably daughter of Humphrey Wilson, of Exeter, January 6, 1692.

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JOHN FROST.

J. 1724–1732.

John Frost was a son of Major Charles Frost, of Kittery, Maine, and was born March 1, 1682. Apparently he was bred to the sea, for it is said that at one time he was the commander of an English ship of war; but later he was a merchant in New Castle, and became useful and prominent in public affairs. He was an inhabitant of Kittery till 1701, at least, and afterwards of Portsmouth. He was appointed a councilor of the province in 1723, and served as such through life; and in 1724 he was commissioned a Justice of the Superior Court, to succeed Thomas Packer. This office also he apparently occupied as long as he lived. His death took place February 25, 1732.

September 4, 1702, he took to wife Mary, sister of Sir William Pepperrell, and they had seventeen children.

ANDREW WIGGIN.

J. 1729–1732.

Andrew Wiggin was the son of Andrew and grandson of Captain Thomas Wiggin, who came to this country first in 1631. The subject of this notice was born in Squamscott, now Stratham, January 6, 1672. While Squamscott was connected with Exeter he was one of the selectmen in 1699, 1712, and 1714. Stratham having been incorporated as a separate town in 1716, largely owing to the exertions of Wiggin, he was elected for a number of years its representative in the Assembly, and repeatedly held the office of Speaker, beginning with 1728. He appears to have been an energetic and competent man of business, and very fixed in his opinions, which embroiled him with Governor Belcher.

His commission as Judge of the Superior Court is supposed to have run to 1732, though he only sat on the bench three terms, beginning with September term, 1729. He died about 1756.

He was twice married; first, probably, to Abigail Follett, September 2, 1697; afterwards to Rachel ——. He had seven children, of whom five were daughters.

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NATHANIEL WEARE.

J. 1730–1738.

It is said that this gentleman was the son of Peter Weare, and was born in Newbury, Massachusetts. He afterwards lived in Hampton, in that part of the township which was incorporated as Hampton Falls. In 1727 he was a member of the Assembly from Hampton Falls, and was elected and served as Speaker. Relations between the House and Lieutenant-Governor Wentworth and his council had become somewhat "strained," and when in 1728, on a new election of the House, nearly the same persons composed it, and Mr. Weare was again chosen as Speaker, the lieutenant-governor refused to approve the choice. The House demurred to his authority so to do, and it was nine days before another Speaker, agreeable to Wentworth, was chosen in his stead. For a number of years after this Weare was reëlected a representative. He was evidently a leader of the popular party.

He is understood to have held the commission of Judge of the Superior Court from 1730 to 1738. His will was made in 1738, and he probably died about 1740.

He was twice married. The Christian name of his first wife was Theodate. His second, Mary Wait, he married August 24, 1703. He had five sons and eight daughters. His youngest son, Meshech Weare, became the Chief Justice of the Superior Court, and first President of New Hampshire under the republican government.

NICHOLAS GILMAN.

J. 1732–1740.

This was a son of Councilor John and Elizabeth (Treworgye) Gilman, born in Exeter, December 26, 1672, and of that town a life-long resident. He was a farmer and merchant, and was a representative in the Assembly in 1732. In 1729 he was made a Judge of the Court of Common Pleas, and filled the position about a year, when he resigned it to give his attention to his private business. But on receiving the commission of Judge of the Superior Court in 1732, he accepted it and performed the duties satisfactorily till 1740, when he retired, his son Samuel Gilman succeeding to the post. He was a man of large property for the time, and died in 1749.

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He married Sarah, daughter of Nathaniel Clark of Newbury, Massachusetts, and had six sons and three daughters.

HENRY SHERBURNE.

C. J. 1732–1742.

Henry Sherburne was born in Portsmouth, February 16, 1674, and appears in his earlier years to have followed the sea. At a later period he was engaged in merchandise, and had dealings for many years with the province in furnishing supplies for the Indian wars, and in the issue and redemption of bills of credit. He was styled captain, and later colonel, and saw some active service during the intermittent hostilities of his time. He was a representative from Portsmouth in the General Assembly in 1720 and probably afterwards, and a councilor from 1728, for nearly thirty years. In 1732 he was named Chief Justice of the Superior Court, and retained the position for ten years. He was also treasurer of the province in 1732, and for some years after.

He was a gentleman of intelligence and high standing. He died in Portsmouth, December 29, 1757.

His wife was Dorothy, daughter of Samuel Wentworth, and they had several children, among them Henry Sherburne, who became Chief Justice of the Court of Common Pleas.

BENJAMIN GAMBLING.

J. 1733–1737.

Benjamin Gambling was born in Roxbury, Massachusetts, and graduated from Harvard College in 1702. In 1709 he was of Portsmouth, and Clerk of the Court of Common Pleas. In 1717 he was made sheriff of the province, and appears to have officiated in that capacity till his successor was appointed in 1728. He was a representative in the House of Assembly in 1727 and 1728; and in 1732 was advanced to the council, where he served till his decease. He was made Judge of Probate in 1731, and was placed upon the bench of the Superior Court in 1733. His commission terminated only with his life. He was a man of property and of uncommon business capacity. Governor Belcher characterized him as "knowing and honest." He died September 1, 1737, at the age of fifty-six years.

His wife was Mary, daughter of Samuel Penhallow.

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JOSEPH SHERBURNE.

J. 1739–1740.

Joseph Sherburne was a wealthy citizen of Portsmouth, who paid in 1727 a tax the fifth in amount in that town. He held the commission of lieutenant-colonel in 1734, when he entered the provincial council, and served as councilor throughout the residue of his life.

He was appointed special Justice of the Court of Common Pleas repeatedly between the years 1733 and 1738, and is understood to have held the permanent commission of Judge of the Superior Court in 1739–1740.

He died in Portsmouth in the latter part of December, 1744, at the age of sixty-four.

ELLIS HUSKE.

J. 1739–1749. C. J. 1749–1754.

This gentleman was a brother of General Huske, who distinguished himself at the battles of Dettingen and Culloden, and was no doubt of English birth. He resided in Portsmouth, and was honored with a place in the council in 1733, and kept it till his death in 1755. He seems to have been a punctual and busy councilor. His commission as a Justice of the Superior Court was dated 1739, and he held it ten years, and was then advanced to the Chief Justiceship.

Governor Benning Wentworth, in a message to the Assembly in 1754, asserted that during Huske's administration of the office the Court "was fallen into great disorder, and by repeated delays the course of justice was in a manner put a stop to." That apparently brought about Huske's resignation.

He married Mary, daughter of Ichabod Plaisted, October 25, 1720. They had two sons and three daughters. John Huske, one of their sons, removed to England, was elected to Parliament, and has the credit of being the originator of the "Stamp Act." He was the author of a pamphlet published in 1755, entitled "The Present State of North America."

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THOMAS MILLET.

J. 1740–1742.

Thomas Millet was of Dover, and was a stirring man, holding public position for more than a quarter of a century. He had the commission of captain, and was a representative in the House of Assembly from 1731 to 1758, with the exception of three or four years. He seems to have been especially active in the preparations for the expedition against Louisbourg in 1745. He was also a selectman of Dover for some twenty years, beginning with 1734.

He appears to have served as a Judge of the Superior Court from August, 1740, to August, 1741. It may admit of doubt, however, whether he was acting under a general commission, or a special one.

His wife was Love Bunker, and his daughter Abigail married Judge John Wentworth, October 16, 1750.

SAMUEL GILMAN.

J. 1740–1747.

Samuel, son of Nicholas and Sarah (Clark) Gilman, was born in Exeter, May 1, 1698, and spent his long life in that town. In 1732 he was commissioned a captain, and in 1755 colonel, in the militia, and in 1740 he was made a justice of the peace, — all honorable titles then. His occupation was that of a taverner, and he was a man of means and the owner of a number of negro slaves.

His service on the bench of the Superior Court covered a period of seven years, from 1740 to 1747. He was a man of the highest character, and universally respected. For a long time he was the chief conveyancer of Exeter, and a great proportion of the deeds of land were in his neat and uniform handwriting. He died January 3, 1785.

He was married, first, September 2, 1719, to Abigail, daughter of Robert Lord of Ipswich, Mass. She died November 29, 1745, and he was married, second, February 19, 1746, to Mrs. Mary Woodbridge, who died in 1759. He had nine children, but outlived them all.

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JOTHAM ODIORNE.

J. 1742-1747.

Jotham, the son of John and Mary (Johnson) Odiorne, was born at New Castle about the year 1675. He engaged in the shipping business and prosecuted it with success, and during his active life exerted much influence as a leading public man. From 1715 he was a representative in the Assembly five or six years; in 1719 he was commissioned a Judge of the Court of Common Pleas, and continued in the office till 1730. He was called to the provincial council in 1724. Governor Benning Wentworth appointed him in 1742 a Judge of the Superior Court, and he retained his seat upon the bench until the year before his death, which occurred in New Castle, August 16, 1748.

His wife was Sarah Bassum, and they had three sons and four daughters.

THOMAS WALLINGFORD.

J. 1747-1771.

He was a son of John and Mary (Tuttle) Wallingford, and born in Bradford, Massachusetts, July 28, 1697. He appears to have come early into New Hampshire, and rose from small beginnings to be a merchant in that part of Dover which is now Somersworth. There he lived and throve, till he became one of the wealthiest men in the province. He owned lands in Portsmouth, and in 1767 generously gave to the town a lot for a schoolhouse. Being one of the original purchasers of Mason's patent, he acquired a great landed interest in various townships of New Hampshire.

For a long period he was intrusted with public affairs, as selectman of Dover for eight years, moderator four years, and representative six years. He was also colonel of a regiment of militia.

He was appointed a Judge of the Superior Court in 1747 and by a second commission in 1749, and remained in the office to the time of his decease. He died in Portsmouth, where he had gone on business, August 4, 1771.

He was married three times. His first wife is supposed to have been Margaret, daughter of Job and Abigail (Heard) Clem-

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ents; his second wife was probably Mary Pray; his third wife was Mrs. Elizabeth (Swett) Prime. By these several marriages he had thirteen children.

MESHECH WEARE.

J. 1747–1775. C. J. 1776–1782.

Meshech, a son of the second Judge Nathaniel Weare, was born in Hampton Falls, June 16, 1713. He was graduated from Harvard College in 1735, and prepared himself at first for the pulpit, it is said, but afterwards devoted a considerable portion of time to the study of the law, and made proficiency therein which afterwards proved valuable to himself and to the public. In 1745 he began to represent Hampton Falls in the provincial legislature, and continued so to do most if not all the time until 1776. For several years he was also clerk of the House, and in 1752 was chosen Speaker, in which office he was retained till 1755. Of most of the principal committees during his connection with the legislature, his name appears as a member. In 1754 he was a delegate to the Albany Congress, and as early as 1766 was colonel of a regiment of militia.

He was decidedly opposed to the measures of the British ministry which brought on the Revolution, and from 1775 to 1784 was a member of the provincial and state Committee of Safety, which was invested with legislative and executive power in the recesses of the legislature. In 1776 he was elected a member of the council under the people's government, and also president, and those offices he continued to fill till 1784, when the people by their suffrages chose him the first President of the State. The next year he resigned that and all his other public trusts, on account of the infirmities of age.

He was commissioned a Judge of the Superior Court in 1747, and performed the duties till 1775. In 1776 he was preferred to the position of Chief Justice, and served till 1782. During the Revolution, therefore, he administered simultaneously the highest offices in the State, legislative, judicial, and executive, a conjunction of powers which under other circumstances, and in a man of less principle and patriotism, would have been hazardous in the extreme. But he was never suspected of abusing his power. He was a reading and thinking man, of sound judgment, industry,

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discretion, and integrity. "He served his country and was poor." He was modest and unassuming, and when he surrendered office, did it with clean hands.

He sat thirty-five years upon the bench of the Superior Court, where his father and his grandfather had sat before him, — a remarkable succession, never paralleled since. He died at Hampton Falls, and the State, of which he was an early pillar, erected to his memory a monument bearing this inscription: —

HERE
LIE THE REMAINS OF
HIS EXCELLENCY
MESHECH WEARE
A. M. & A. A. S.
LATE PRESIDENT OF
THE STATE OF NEW HAMPSHIRE
WHO DIED
JAN. 14, 1786,
ÆT. 73.

President Weare was twice married; first, July 20, 1738, to Elizabeth, daughter of Deacon Shaw of Hampton; second, December 11, 1746, to Mehitable Wainwright. He had nine children.

JOSEPH BLANCHARD.

J. 1749–1758.

Joseph Blanchard was a son of Captain Joseph and Abiah (Hassell) Blanchard, and was born in Dunstable, now Nashua, February 11, 1704. He was a man of intelligence and much executive force, and was for many years the leader in his section of the province in things civil and military. It is stated that he was appointed a councilor by mandamus in 1741, but it does not appear that he acted as such. He was chosen the first moderator of his town upon its organization under the laws of New Hampshire in 1742; and in 1744, and again in 1748, was elected representative from Dunstable and its vicinity, but was not allowed by the House to take his seat, upon the ground that his election was by virtue of the governor's writ only, and not authorized by former usage or by the House.

He was in command of a regiment of militia as early as 1744, and was the correspondent of Governor Benning Wentworth in

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regard to the Indian incursions in the western parts of the province. In 1754 he was ordered to send detachments from his command to protect those frontiers, and the next year, when the expedition against Crown Point was determined on, was placed at the head of a regiment for that purpose. He joined the forces under (Sir) William Johnson near Fort George, and one of his companies was distinguished for contributing largely, under the command of Captain Nathaniel Folsom, to the defeat of Dieskau; while another company acted as Rangers under the famous Robert Rogers and John Stark.

Colonel Blanchard is said to have been the agent of the Masonian Proprietors in respect to their great land-purchase in 1746. In 1749 he was placed upon the bench of the Superior Court, and is supposed to have held his commission till his death, April 7, 1758, though he appears not to have attended court after 1756.

His wife was Rebecca Hubbard or Hobart, and bore him thirteen children. His oldest son, Joseph, was a noted land-surveyor, and in conjunction with Rev. Dr. Samuel Langdon, published in 1761 a map of New Hampshire which gained them much credit.

THEODORE ATKINSON.

C. J. 1754–1775.

Son of Theodore and Mary Atkinson; born, Newcastle, December 20, 1697; Harvard College, 1718; died, Portsmouth, September 22, 1779.

The father of Judge Atkinson is known as the third Theodore, and was a native of Boston. He removed to Newcastle in 1694, was a Judge of the Court of Common Pleas, and clerk for several years of the Superior Court, and died in 1719.

The fourth Theodore, the subject of this sketch, soon after he quitted college received a commission as lieutenant of "the Fort," and in 1720 was appointed clerk of the Court of Common Pleas, and continued in the office several years. During that time he acquired a familiarity with the forms of legal proceedings, and as early as 1731 was admitted an attorney.

While he was yet a young man, Lieutenant-Governor John Wentworth, whose daughter he afterwards married, appointed him collector and naval officer and sheriff of the province. But Governor Belcher, who was unfriendly to Wentworth, removed Atkinson in 1730 from the first two offices, and appointed another person

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to perform jointly with him the duties of sheriff. This naturally aroused the resentment of Atkinson, who wittily and characteristically manifested it soon afterwards to his Excellency. The Governor, being about to visit Portsmouth, and being fond of parade, ordered that a troop of cavalry should meet him as an escort, and required the officers of the government to accompany the cavalcade. Semi-Sheriff Atkinson appeared, tardily, and carrying only a moiety of his sheriff's official wand. The Governor angrily inquired why he was so late. "Because I had only half a horse to ride," was the answer.

When Mr. Atkinson was but twenty-eight years of age, he was appointed a commissioner to proceed in company with a gentleman from Massachusetts to Canada, to procure the release of prisoners, and to remonstrate with the governor there against his violation of the treaty, by inciting the Indians to war. The mission was conducted faithfully and with a successful result; and upon Mr. Atkinson's return the Assembly of the province voted him their thanks and compensation for his services.

In 1731 he was appointed by the King a member of the council of New Hampshire, but Governor Belcher contrived to prevent him from taking his seat until 1734, during which interval Mr. Atkinson was elected a representative, and maintained a constant opposition in the House against Belcher.[1] He held the office of councilor from 1734 up to the dissolution of the royal government in 1775.

He was sent as a delegate to the Albany Congress of 1754, in which he was a member of the committee who reported a plan for a union for the defense of the colonies. This plan had the singular fortune to be rejected at home because it gave too much power to the King, and in England because it gave too much authority to the colonial assemblies.

Immediately after his return from Albany he was commissioned Chief Justice of the Superior Court, and presided over that tribunal until superseded by the formation of the Revolutionary government in 1775. He had been made secretary of the province in 1741, and after holding the place several years relinquished it in favor of his son, Theodore Atkinson, Jr. The latter died in 1769, upon which the father was replaced in the office, and

[1] Belcher querulously wrote that he was informed that Atkinson's mandamus as councilor cost him above one hundred guineas.

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retained it till 1775. Pluralism in temporal offices excited small apprehension, it would appear, in colonial and Revolutionary times.

Judge Atkinson was opposed on principle to the Revolutionary movement, and when a committee of the people's convention called on him for the records of his office of secretary, he refused to deliver them up, "as against his oath and his honor," but yielded to force. In all cases of difficulty and doubt his counsel and coöperation were the mainstay of the little coterie who ruled New Hampshire in the later colonial years, and he has been well termed the "soul of administration of the government of the province." He was a man of much general information, withal, and had a genuine appreciation of a joke. It is said that he cultivated the acquaintance of certain persons much below him in social position for the purpose of enjoying their witty sayings.

One repartee which tickled the Judge, though it was uttered at his own expense, is on record. While he was in the council, he inquired of a facetious member of the House what had become of a certain bill which had been sent down for their action. The member replied that there were objections to it in the House, and he did not think it would pass. The councilor was a little nettled, and exclaimed, "I wish you were all in Heaven!" "I should have no objection," responded the representative, "only that it would be an eternal separation from his Majesty's council!"

Judge Atkinson was married, September 4, 1732, to Hannah (Plaisted), daughter of Lieutenant-Governor John Wentworth. She died in 1769. He had one son and one daughter, who both died before him. By his last will he made a provision which has kept his memory green until our own time, — he gave a legacy of two hundred pounds sterling to the Episcopal church in Portsmouth, the interest of which is expended for bread to be distributed on Sundays to the poor of the parish.

LEVERETT HUBBARD.

J. 1763–1784.

Son of Hon. Nathaniel Hubbard; born, Rhode Island, 1723; Harvard College, 1742; practiced, Portsmouth; died there, January 2, 1793.

Leverett Hubbard's father was a Judge of the Superior Court of Massachusetts. Rev. William Hubbard, the historian, and Governor John Leverett were among his ancestors. The son quitted

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college with the reputation of a good scholar, but being disappointed at having no part assigned him at Commencement, delivered from the church gallery a severe philippic in Latin against the president. This would have cost him his degree but for the intervention of his friends. He studied law in Rhode Island, and came to Portsmouth about 1760 to practice his profession. In 1762 he was made controller of the customs, and in 1763 a Judge of the Superior Court. He was sometimes extravagant in his expressions, as when he declared, in summing up to the jury in the trial of a cause, that he would willingly give the five hundred acres of land in controversy, if covered with money, to be able to argue a cause as Mr. West had done it; but added, "I check myself in the thought, for it appears to me like the impious wish of Simon Magus to purchase the Holy Spirit with money!"

Judge Hubbard was said to be benevolent, friendly, and of courteous manner, but he never was eminent as a lawyer, nor excelled as a judge. On the revision of the state Constitution in 1784 he was not reappointed, but was left in somewhat straitened circumstances. Some time before his death his mental powers became weakened.

He married, December 6, 1769, Anne, daughter of George Jaffrey and widow of Nathaniel Pierce, and left no descendants.

WILLIAM PARKER.

J. 1771–1775.

Son of William and Zerviah (Stanley) Parker; born, Portsmouth, December 9, 1703; admitted, 1732; practiced, Portsmouth; died there, April 21, 1781.

The father of this gentleman was a tanner, and it has been stated that his mother was a daughter of the noble house of Derby, in England, but this has been disproved. The descendants of Judge Parker have no occasion to go beyond himself in pursuit of ancestral honors and true family worth. He was taught only in the public schools of Portsmouth, and being designed for his father's trade, was apprenticed to him when he reached the age of fifteen. He made himself acquainted with his calling, but must have studied privately during his apprenticeship, as he became a master of one of the schools of the town, and in his intervals of leisure gave his attention to the perusal of the works essential to the qualification of a complete lawyer. The bar

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of the province had so few trained members, when he entered it, that he was received with every mark of encouragement and approval.

When in 1737 the commissioners assembled to settle the boundary line between New Hampshire and Massachusetts, they appointed Mr. Parker as their clerk. And Governor Belcher gave him the place of Register of Probate, where his legal knowledge was of course of much service. He was also Surrogate Judge of Admiralty, and long the only notary public in the province. In 1765 he was chosen a representative to the General Assembly, and held his seat by annual reëlections until 1774.

In 1771 he was appointed one of the Judges of the Superior Court of the province,[1] and he officiated as such until the opening of the Revolution put an end to the royal authority here. He was able to attend to no business, regularly, after that time, on account of a hereditary gout, which confined him to his house. Taking no part in the political differences of the time, he gave his chief attention to the concerns of his family during the few years that remained to him on earth.

Judge Parker was not only a self-made man, but cherished a high ideal. In his profession he was not content with superficial or mere practical knowledge, but he made himself master of the law as a science. In his practice his thoroughness was the cause of his employment by clients of discernment in all their important concerns. He was retained, and his opinion chiefly relied upon, in the principal cases in the courts, and by common consent he was allowed to be at the head of his profession in New Hampshire. Moreover, his ambition prompted him to become something more than a mere lawyer. He gave no little attention to classical literature and *belles-lettres*, and made himself, as far as his defective early training allowed, a man of general and liberal culture. His proficiency was recognized by the authorities of Harvard College, who in 1763 awarded him the degree of A. M. "*pro meritis suis*, and although he never had a public education," as it was expressed in his diploma.

His social qualities rendered him a pleasant companion, and

[1] A descendant of Judge Parker states his official emoluments to have been on this limited scale: as Register of Probate, £65 per year; as Justice, £60, voted by the Assembly, and £24 in fees; as Judge of Admiralty, eight guineas in fees.

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attracted to his society his legal brethren and the educated gentlemen in his vicinity. His conversation was instructive and enlivened with pleasantry, and he sometimes indulged in writing verses seasoned with true Attic salt. His sarcasms, however, could have contained no sting, for his disposition is described as being peculiarly sweet. He was kind and benevolent, "of inflexible rectitude and undissembled piety."

He married Elizabeth Grafton in 1728, and became the father of eleven children. His oldest son, bearing his Christian name, was a lawyer and judge. Among his grandchildren were John P. Hale of Rochester, and Nathaniel Adams of Portsmouth, long clerk of the Superior Court.

MATTHEW THORNTON.

J. 1776–1782.

Matthew Thornton, a son of James Thornton, was born in Ireland in 1714, and came with his father to this country when only two or three years old. At first they lived in Wiscasset, Maine, then in Worcester, Massachusetts, where young Thornton had the advantage of an academical training. He pursued the study of medicine, and began practice in Londonderry among his countrymen, the Scotch-Irish, there. In a few years he gained reputation and comparative wealth by his extensive employment, and became an influential citizen in the affairs of the town and vicinity. In 1745 he was made surgeon of the New Hampshire troops in the expedition against Cape Breton. From 1758 to 1760 inclusive he represented Londonderry in the House of Assembly. Governor Benning Wentworth gave him the commission of justice of the peace, and Governor John Wentworth that of colonel of a militia regiment. "But he was not the flatterer or the tool of either of them; he was the enemy of oppression and the friend of his country." He was a member of the fourth and fifth provincial Congresses, which shaped the destiny of New Hampshire in the Revolutionary movement, and so well understood were his principles, and so great confidence was reposed in his wisdom and discretion, that he was chosen to be the presiding officer of both those bodies. As such, it was his duty to write many official letters and documents in behalf of the Convention, which are creditable alike to his patriotism and his intelligence.

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In December, 1775, he was appointed at the head of a committee to "frame and bring in a draft or plan of a new Constitution for the rule and government of this colony," upon the adoption of which, in January, 1776, he was chosen one of the twelve councilors of the State. In September, 1776, he was appointed a delegate to the Continental Congress, but did not take his seat till November. He then affixed his name to the Declaration of Independence, and thereby signified his resolution to risk his all upon the result of the contest with the mother country.

On the division of New Hampshire into counties in 1771, Dr. Thornton was awarded the appointment of Chief Justice of the Court of Common Pleas for the county of Hillsborough, having probably changed his residence to Merrimac, in that county. In 1776 he was commissioned a Judge of the Superior Court, and acted as such till 1782.

A singular incident is related of Judge Thornton, probably while he was presiding in the Common Pleas, that shows the fashion in which the business of the courts was sometimes conducted in his day. As a counsel was making his closing argument to the jury, in a protracted trial, on a warm afternoon, he discovered that the presiding judge on the bench was absorbed in reading a book, and his associate was soundly sleeping by his side. The advocate turned to the jury, and with indignant emphasis remarked: "Gentlemen, my unfortunate client has no hope but in *your* attention, since the Court in their wisdom will not condescend to hear his case!"

Of course there was no sleeping on the bench after that, but Judge Thornton tranquilly looked up from his book, and remarked: "When you have anything to offer, Mr. ——, which is pertinent to the case on trial, the Court will be happy to hear you. Meantime I may as well resume my reading."

It is not strange that the jury sometimes "took the bit in their teeth," when the judicial reins were held so loosely. We have no reason to think, however, that Judge Thornton's general administration of his office was other than impartial and satisfactory.

Judge Thornton removed to Exeter about 1779, and resided there for a year or two, and then purchased a farm in Merrimac, which he made his home during the residue of his life, but still occasionally accepting public office and retaining his interest in public affairs to the last. He died at the home of his daughter, in

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Newburyport, Massachusetts, June 24, 1803. On his tombstone in Merrimac are inscribed the words, "The Honest Man."

Judge Thornton possessed uncommon intellectual powers, and had a turn for metaphysical speculation. He left in manuscript a treatise entitled "Paradise Lost, or the Origin of the Evil called Sin examined." He had made good use of his powers of observation and reflection through a long life, and was a most instructive and entertaining companion. He was exemplary in his conduct, and his memory was honored.

His wife was Hannah Jackson. They had two sons and two daughters. One of his sons and a son of the other followed the profession of the law.

JOHN WENTWORTH.

J. 1776–1781.

This gentleman was a son of Captain Benjamin and Elizabeth (Leighton) Wentworth, and was born March 30, 1719, in that part of Dover which afterwards became Somersworth and is now Rollinsford. He lost his father while very young, and was brought up under the charge of an uncle, Paul Wentworth, who made him his principal heir. He early manifested his capability for affairs, and was made selectman of Dover in 1747, and representative in the House of Assembly in 1749. Both these offices he filled repeatedly afterwards. After Somersworth was incorporated, he represented that town in 1755, and annually thereafter as long as the provincial government lasted, and was Speaker of the House from 1771 to and during 1775. He was honored with the commission of lieutenant-colonel of militia as early as 1767, and was colonel of the "second regiment of foot" in 1772. When Strafford County was organized in 1773, he was created Chief Justice of the Court of Common Pleas, and so continued till 1775.

In 1774 the first Assembly of the people of New Hampshire was called for the election of delegates to the General Congress, and Colonel Wentworth was chosen its chairman, as he was also of the second and third provincial Congresses. On the formation of the Revolutionary government in 1776, he was chosen a councilor, and appointed a Justice of the Superior Court, both which places he occupied as long as he lived. The fact that he was Speaker of

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the provincial House of Assembly, with the approval of the royal governor, at the same time that he presided over the Revolutionary Congresses, and was upon their most important committees, indicates that he was no extremist, and that all parties were sensible of the honesty of his intentions. His letters show that he was a man of intelligent views and a sincere patriot. He died in Somersworth, May 17, 1781.

He was married three times: first, December 9, 1742, to Joanna, daughter of Judge Nicholas Gilman of Exeter; second, October 16, 1750, to Abigail, daughter of Thomas Millet of Dover; and third, June 1, 1768, to Mrs. Elizabeth (Wallingford) Cole. His children by these marriages numbered thirteen.

WOODBURY LANGDON.

J. 1782–1783; 1786–1791.

Woodbury Langdon was the son of John and Mary (Hall) Langdon, and was born in Portsmouth in 1739. He received his education in the public schools of his native town, principally under the tuition of the well-known Major Samuel Hale. After spending some time in the counting-room of Henry Sherburne, an eminent merchant, and making several voyages at sea, he commenced the mercantile business, and being enterprising and industrious, had by the opening of the American Revolution accumulated some property, a considerable part of which was in England. To get possession of it he sailed for that country, and having accomplished his purpose, returned in a frigate in 1777 to New York, where he was imprisoned by the British general. After his release he returned to New Hampshire, and was active in promoting the designs of the Whigs.

In 1778–79 he was chosen a representative in the legislature, and while there was elected a delegate to the Continental Congress. He attended its sessions in 1779, 1780, and 1781, and declined two subsequent elections. In 1782 he was made a Justice of the Superior Court, but after about a year resigned the office, and refused to resume it, though requested by a vote of the House so to do. Being again commissioned Judge, however, in 1786, he accepted the place, and held it about five years. This time he became less acceptable in his judicial capacity than before, not, however, for acts of commission so much as for neglect-

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ing to attend to his duties. A committee of the General Court waited on him to know why he was not more punctual in attending the courts, to whom he explained that the failure to provide permanent and honorable salaries for the judges, and the frequent interference of the legislature in the granting of new trials, etc., were things not calculated to make the judiciary more efficient. Thereupon the House proceeded to impeach him, and the Senate ordered him to appear for trial. But discovering that in the recess of the House they had no power to try the impeachment, they postponed the matter to the next session. Before that occurred, Mr. Langdon was appointed by the President of the United States a commissioner to adjust Revolutionary claims, and resigned his judgeship.

Judge Langdon displayed much ability in his public positions. He possessed great independence and decision, and was keen and sarcastic, and thoroughly outspoken. Without any of the arts of a popularity seeker, he made friends by his frankness and directness, and by sheer ability. He was unyielding and peremptory, but his sense of justice would not allow him knowingly to do a wrong thing. His failings were of a manly cast; he abhorred everything mean and underhand. He died in Portsmouth, January 13, 1805.

His wife was Sarah, daughter of Henry Sherburne, and they had nine children.

JOSIAH BARTLETT.

J. 1782–1790. C. J. 1790.

Josiah Bartlett was a son of Stephen and Mary (Webster) Bartlett, and was born in Amesbury, Massachusetts, November 21, 1729. He was educated in the common schools, and also applied himself to Latin and Greek until he was sixteen years old, when he began the study of medicine. This he pursued under the instruction of neighboring physicians until 1750, when he removed to Kingston and began practice there. He gained reputation by introducing Peruvian bark as a remedy for a malignant sore throat that was epidemic in his vicinity a few years later. In 1765 he was chosen a representative in the provincial legislature, and was regularly reëlected until the outbreak of the Revolution. He was made a justice of the peace and colonel of the militia by

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the royal governor ; but when the differences began to arise which led to the separation of the colonies from the British crown, Dr. Bartlett took the side of the people. In February, 1775, Governor Wentworth summarily removed him from his offices, and soon afterwards he became an active member of the several provincial Congresses, called by the authority of the people, which laid the foundations of the popular government, and also a member of the Committee of Safety, invested during the recess of the legislature with the chief powers of government.

In 1775 and 1776 Dr. Bartlett was a delegate to the Continental Congress, and in the latter year was the first to deliver his vote in favor of the adoption of the Declaration of Independence, to which his name was duly affixed. In 1778 he served again in the Continental Congress, and the next year was constituted Chief Justice of the Court of Common Pleas. In 1788 he was a member and temporary chairman of the convention called to ratify the Constitution of the United States, and in 1790 and the two following years was elected President of New Hampshire. In 1794, under the newly adopted Constitution of the State, he was chosen the first governor of New Hampshire, and in the succeeding January resigned the office and all public employment by reason of impaired health.

Governor Bartlett's service on the bench of the Superior Court began in 1782 as associate Justice, and terminated as Chief Justice in 1790. He possessed superior abilities, sound judgment, earnest patriotism, and high integrity. The several important stations to which he was elevated prove the confidence that his fellow-citizens reposed in his honesty and ability, and he executed them with general approbation. He was a founder and the first president of the State Medical Society, and received from Dartmouth College the honorary degree of Doctor of Medicine. His death occurred in Kingston, May 19, 1795.

His wife was Mary Bartlett of Newton. They had three sons, all physicians, and six daughters.

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SAMUEL LIVERMORE, LL. D.

C. J. 1782–1790.

Son of Samuel and —— (Brown) Livermore ; born, Waltham, Massachusetts, May 14, 1732 (O. S.) ; Nassau Hall College, 1752 ; practiced, Portsmouth, Londonderry, and Holderness ; died, Holderness, May 18, 1803.

Mr. Livermore was a descendant in the fourth generation from John Livermore, who emigrated to this country from Exeter in England, according to tradition, and was admitted freeman in Watertown, Massachusetts, in 1635. The first that we learn of the subject of this sketch is that in 1750 and 1751 he was a teacher of a school in Chelsea, Massachusetts, and a member of the Congregational church. He entered Nassau Hall, now Princeton College, then at Newark, New Jersey, in 1751, in advanced standing, and took his degree the next year. After spending awhile in teaching, he studied law in the office of the distinguished Edmund Trowbridge, and was admitted at the Court of Common Pleas in Middlesex County, Massachusetts, in June, 1756. Beginning practice in his native town, he removed, after a year or so, to Portsmouth. He early evinced a superior capacity for legal business, and erelong established a reputation, which extended beyond the bounds of the province, as a knowing lawyer, prompt in action and ready of speech. For several years he divided the practice of Portsmouth and the country round about in a great degree with Wyseman Clagett, who was like himself a man of legal education and in the prime of life, the older lawyers of the town having retired from the more arduous labors of the profession. Mr. Clagett's share, however, consisted very largely of the criminal business ; a much larger proportion of the civil causes went to Mr. Livermore.

It was but a few years after his arrival in Portsmouth when indications of impending trouble between America and the mother country began to agitate society. Mr. Livermore evidently preferred not to be in a position where he would have to take an active part in the contentions that afterwards arose. As early as the beginning of the year 1764 he removed to Londonderry. It was while he was residing in that place that [1] John Sullivan, the

[1] This is stated on the authority of Hon. Arthur Livermore, the grandson of Samuel, and indicates that the story in Brewster's *Rambles*, pp. 145, 146, must be unfounded.

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future Major-General in the Revolutionary army, and President of the State, was a student in his office. During the same period Mr. Livermore was summoned to Quebec to defend Major Robert Rogers, the famous partisan in the French and Indian wars, who was accused of some malversation in office. Rogers had married a daughter of Rev. Arthur Browne, and sister of Mrs. Livermore, and was described as at this time a "large, burly figure, somewhat debased by indications of intemperate habits."

It is evident that Mr. Livermore made good his standing among the sturdy Scotch-Irish of Londonderry, though they are said to have felt little fondness for his calling. He was chosen by the electors of that town to represent them in the provincial Assembly of 1768, and held his seat there into 1770, though he had resumed his residence in Portsmouth in 1769, having been appointed advocate in the Court of Admiralty, and King's Attorney-General in New Hampshire, which offices he continued to enjoy as long as the royal government lasted.

In the spring of 1774 he returned to Londonderry. He had for several years before been employed in buying up and perfecting the titles to lands in the township of New Holderness, of which he became eventually the proprietor of about two thirds, and at this period he was spending a part of his time there superintending his improvements. In the winter of 1775–76 he removed thither with his family.

He had the confidence of Governor Wentworth, and probably in the early stages of the Revolutionary movement lacked faith that it would prove successful, and so was unwilling to take a prominent part; though he was not suspected of toryism and was elected Attorney-General by the people's government in 1776. After the surrender of Burgoyne's army in 1777 he appears to have had no doubt of the ultimate independence of the country.

There was little law business to do, except what officially devolved upon him while he served as Attorney-General, during the period of the Revolution. But he found no lack of occupation in his new home, probably, where there was an infinity of wants. Among other improvements that he introduced was a grist-mill, which he sometimes tended himself; as he probably also took his share of the agricultural and mechanical labors needed in his frontier settlement.

In November, 1779, he was selected by the General Court as

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agent to the Continental Congress, "to support," in conjunction with the regular delegates, "the claim of this State to the New Hampshire Grants (so called) west of Connecticut river." At the next session he was sent as a delegate to Congress until March, 1780, "not, however, to supersede either of the existing delegates." He attended the Continental Congress by successive elections from that time until 1782, when on June 21 he was appointed Chief Justice of the Superior Court. In the autumn of 1785 he was again chosen a member of the Continental Congress for a year, and took his seat and occupied it up to September 1, 1786, while still holding the office of Chief Justice of the Superior Court.

In February, 1788, he was chosen a delegate from Holderness and adjacent places, in the convention for acting upon the proposed Constitution of the United States, and is said to have taken an important part in its deliberations, and to have been greatly instrumental in the adoption of the instrument by this State. He was elected by the people one of the first representatives in the new Congress in 1789, and took his seat therein. There being then no provision in the state Constitution to prevent it, he continued also to occupy his judicial post. At this, dissatisfaction began to be expressed, and even an address for his removal from the bench was mooted, and in 1790 for that and other reasons he resigned the chief justiceship.

But the confidence of the people in his honesty and capacity was not shaken. He was reëlected to Congress in 1791, and the same year was sent as a delegate to the convention to revise the Constitution of the State. Of that body he was made president, and over it he is said to have exercised almost absolute sway. The legislature of 1791 transferred Mr. Livermore from the House of Representatives in Congress to the United States Senate, and after the expiration of his term of six years he was reëlected. Owing to the impaired condition of his health, however, he retained his seat only till June 12, 1801, when he resigned. This was his last public service.

Judge Livermore had an exceptionally long occupation of important and honorable public stations, and gained them by no arts of the politician, but by ability, force of character, and unbending integrity.

He was the possessor in a marked degree of robust common

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sense, — the only genuine foundation of a leading character, — of keen wit, and great intellectual force. He was little of a student, but a practical man, who took accurate measure of the things about him. He had small polish and great outspokenness. For these qualities the mass of the people liked him, and because he was independent of forms, but efficient in discharging his public functions, evidently intent on doing justice, and of unquestioned honesty. They had not yet learned respect for the legal fraternity, and it rather raised him in the popular estimation that he was no favorite of that guild. For it was the lawyers, no doubt, who complained of him for holding on to the bench while he was at the same time a member of Congress.

It is not strange that he was not much relished by the bar. The only certainty in the law is that derived from precedents. If similar questions are to be determined differently in different cases, then no counsel can advise his clients with confidence. Judge Livermore refused to be bound not only by precedents in general, but even by his own prior decisions. "Let every tub stand on its own bottom," was his reply when confronted with an adverse authority. The adjudications of the English tribunals (which were about all the reported decisions of his time) he refused to follow, though he was willing to consider for what they were worth the grounds on which those made before our national independence were based. Later ones he would not listen to for any purpose. All this, in the estimation of the lawyers, was too much like deciding cases by "the length of the chancellor's foot."

Moreover, he was accused of being peremptory and dictatorial. He ruled his court with a rod of iron, it is said. For example, the building in which he was presiding at a term of the court in Exeter, in September, 1786, was surrounded one morning by a mob of armed men, with apparently hostile intentions. They were, in fact, the "greenbackers" of their time, and assembled there for the purpose of overawing the legislature of the State, and compelling them to pass a law for the issue of a paper currency. They had mistaken the building in which the legislature were sitting, and meaning to intimidate the *General* Court had encaged the *judicial* Court instead. No small excitement was caused in the court-room by the alarming demonstration outside, as may be imagined. But the judge on the bench went imperturbably on with the business, and sternly forbade every one to do so much as to look out of a window!

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In his private life he was useful and much esteemed. Being the great landed proprietor in Holderness, he long kept a kind of feudal state there among his retainers. His habitation was a home of somewhat rude abundance and unbounded hospitality. As he was a sort of licensed autocrat there, it is not strange that his manners became arbitrary and his naturally warm temper sometimes broke from his control. "He never stooped to please a friend or avoid an enemy," it was said. But if he had a rough-and-ready manner, he had also a kind heart, and, there is no reason to doubt, a conscientious desire to do right. He early introduced to his new home the Episcopal religious worship, to which he was strongly attached.

His eccentricities appear to have been mere ripples which stirred the surface of his deeper nature. His strong and lasting hold on the popular heart, his evident adequacy to the important public trusts with which he was invested, his ready ability to deal with the new and vital questions which confronted him, all bear out the opinion of a competent and judicious writer[1] that "he was without question, during his day, *the* great man of the State."

Dartmouth College gave him the degree of LL. D. in 1792.

He was married, September 23, 1759, to Jane, daughter of the Rev. Arthur Browne of Portsmouth. They had three sons and one daughter. Two of the sons, Arthur and Edward St. Loe, became judges of the Superior Court, and the third, George Williamson, was clerk of the Court of Common Pleas in Grafton County.

WILLIAM WHIPPLE.

J. 1783–1785.

William Whipple was a son of William and Mary (Cutt) Whipple, and was born in Kittery, Maine, January 14, 1730. He went early to sea, after obtaining a common school education, and before reaching his majority had the command of a vessel. He made numerous voyages to the West Indies, Europe, and the coast of Africa, and at the age of twenty-nine entered into trade in Portsmouth, in company with a brother. This he pursued with success until he retired from it about 1775. He took part early and zealously with his countrymen in their dispute with Great

[1] Hon. Charles H. Atherton.

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Britain, and was frequently elected to offices in which his abilities and patriotism were conspicuous. In 1775 he was a member of the provincial Congress, and was sent as a delegate to the Continental Congress; besides being placed upon the Committee of Safety of his town and of the State. In 1776, on the adoption of the people's Constitution, he was chosen a councilor, and again a delegate to the Continental Congress. In that year he had the honor to vote for and to subscribe the Declaration of Independence. His membership of the Continental Congress did not terminate till 1778.

He was selected to command one of the brigades of militia of the State, and in 1777, when Burgoyne's expedition was threatening to separate New England from the other American States, proceeded with detachments from his command to Saratoga, and served under Gates in the campaign which eventuated in the capture of the British army. He was also in active service in the field the following year under General Sullivan in his Rhode Island campaign.[1]

His services, both in his military and his civil capacity, were of great utility to the cause of his country. After quitting Congress he was repeatedly chosen to the legislature of the State, and in 1782 was appointed a Judge of the Superior Court. He possessed the qualifications for the place which were deemed most essential, — "a discerning mind, a sound judgment, and integrity," — and his judicial duties appear to have been performed to the satisfaction of the community. After about three years his failing health obliged him to quit the bench in the midst of the circuit, and he departed this life November 10, 1785.

His wife was Catharine, daughter of John Moffatt, and he died childless.

JOHN DUDLEY.

J. 1784–1797.

John Dudley was a son of James and Mercy (Folsom) Dudley, and was born in Exeter (the part which is now Brentwood), April

[1] It was during the Burgoyne campaign in 1777 that the well-known anecdote of General Whipple's giving freedom to his slave Prince is said to have occurred. It is a pity to spoil the story, but the fact appears to be that Prince Whipple, with other slaves, petitioned the legislature for their freedom as late as November, 1779. — 18 N. H. State Papers, 705.

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9, 1725. His parents were unable to give him even a common school education, and his early instruction barely enabled him to read. He went while young to live with Colonel Daniel Gilman in Exeter, as a laborer on his farm, where his native capacity was recognized, and he gained much political and general information by conversation and otherwise, though "he never was able to write five consecutive sentences in correct English." He entered into trade as a grocer in Exeter, after leaving Colonel Gilman's, and though he suffered a severe loss by fire, persevered and prospered. For five years, 1760 to 1765, he was one of the selectmen of the town.

In 1766 he removed to a farm which he purchased in Raymond, and gave his attention to agriculture and the lumber trade. In 1768 he was honored by the royal governor with the commission of justice of the peace. At an early stage of the differences which arose between the colonists and the mother country, he manifested his attachment to the cause of his countrymen, and was known as a decided and active Whig. The news of the armed collision at Lexington and Concord in 1775 roused him to instant action, and he may truly be said to have devoted his time for the next eight years to the cause of liberty. Chosen to the provincial Congresses in 1775, he at once made himself recognized as a leader, and few were the important committees in which his name did not appear. From 1775 to 1784 he was constantly in the legislature, and in 1782 and 1783 he was Speaker of the House. From 1776 to 1784 he was one of the Committee of Safety. In 1776 he was constituted a Justice of the Court of Common Pleas, and held the position until 1784, when he was advanced to the bench of the Superior Court. There he continued until his resignation in 1797.

Though he was unlearned in the law, his judicial functions were performed not only to the acceptance of suitors and the public, but also to the satisfaction of unprejudiced members of the legal profession.

His mental powers were vigorous, his judgment was rarely at fault, he was attentive, impartial, and upright, and he was the master of a rude eloquence that was highly effective. He took decided views, and spared no pains to enforce them upon his jurors, but no one questioned his perfect honesty. He used to declare that it was justice that he was after, rather than law.

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Chief Justice Parsons said of him, "though we may smile at his law and ridicule his language, yet Dudley, take him all in all, was the greatest and best judge I ever knew in New Hampshire." And Judge Arthur Livermore affirmed "that justice was never better administered in this State, than when Dudley was on the bench."

After quitting his judicial post he retired to his home, and passed the evening of his days there in quiet, scarcely ever going away even so far as a mile's distance. He died in Raymond, May 21, 1805, at a good old age.

He was married, June 22, 1749, to Elizabeth, daughter of Caleb Gilman of Exeter, and was the father of eight children.

SIMEON OLCOTT.

J. 1790–1795. C. J. 1795–1802.

Son of Timothy Olcott, Jr.; born, Bolton, Connecticut, October 1, 1735; Yale College, 1761; practiced, Charlestown; died there, February 22, 1815.

Before New Hampshire was divided into counties all the courts were held in Portsmouth, and there was little encouragement for lawyers to settle in the remote parts of the province, both for that reason and because of the inability of the frontier inhabitants to support them. But the demand for their services had enticed a very small number of adventurous young legal aspirants to try their fortunes in the valley of the Connecticut. Among them was Simeon Olcott.

He labored upon the paternal acres until he was twenty-one years of age, and then prepared himself for college under the tuition of the Rev. Mr. White, the minister of Bolton. He was enabled to complete his college course by the aid of his brother, Rev. Bulkley Olcott, and by money which he received for keeping school in his vacations. Some time he spent afterwards in teaching in Hatfield, Massachusetts, and then pursued the study of the law in the office of Daniel Jones of Hinsdale.

He established himself in his profession in Charlestown in 1766 or earlier, and there resided through life. He was chosen a representative in the General Assembly of the province in 1772 and 1773, and was placed upon one or more committees of importance. In the latter year he was appointed Judge of Probate for the county of Cheshire. At this time he appears to have had

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business enough to justify him in taking a partner, Benjamin West.

But soon the disturbing influence of the war came in, and for some years all legal business was at a standstill. It has been intimated that Mr. Olcott was unfriendly to the cause of the country, but this lacks confirmation, and was probably the result of the jealousy with which the people in those early times were accustomed to regard members of the legal profession, — a jealousy which survived till long within the memory of men now living.

Before the war was over, the Vermont controversy broke out, and Mr. Olcott's place of residence was in the debatable territory. But all these disquieting influences were at length ended, and on December 25, 1784, he received the appointment of Chief Justice of the Court of Common Pleas for the county of Cheshire. This office he held until January 25, 1790, when he was elevated to a place on the bench of the Superior Court, of which he was promoted to be Chief Justice, March 28, 1795. Here he continued till, in 1801, the legislature of New Hampshire chose him a senator of the United States, to fill the unexpired term of Samuel Livermore, who had resigned his seat.

Mr. Olcott served as senator till the expiration of his term in 1805, and then, at the age of sixty-nine, retired from active employments. His constitution was naturally sound; he preserved his health by exercise, temperance, and regular habits of life; and when out of order he trusted for his recovery rather to abstinence and rest than to medicines.

Judge Olcott's speech is said to have in some expressions betrayed his want of early education,[1] and he had too little experience as an advocate, amid his official avocations, to acquire the art of addressing a jury effectively. His legal attainments, though in our later day they might be deemed inconsiderable, were quite on a level with those of the average lawyers of his time. It is said to be a fact that on two occasions he mistook the day of holding his courts, and failed to attend; and this is attributed by Governor Plumer to his having consulted the almanac

[1] While he was holding a term of the court at Dover, he was observed to make use of the expressions "this 'ere" and "that 'are;" whereupon some wag caused to be published in the Dover *Sun* the following epitaph: —

"Here lies the body of Ichabod Hare,
Who has left this 'ere world and gone to that 'are."

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instead of the statute to ascertain the time! This almost incredible statement indicates how loosely the business of the judicial proceedings was carried on a century ago. No doubt Judge Olcott's good judgment and sense of justice enabled him to conduct trials with fairness and equity, and in a manner, on the whole, quite acceptable to the community. It helped him much that his reputation for honesty and integrity was high, and was never questioned. It was these sterling qualities that gave him his place in the public estimation, and atoned for every deficiency.

Governor Plumer says, "He was open and frank, and expressed his opinions of men and measures freely and bluntly. He cordially hated hypocrisy, and studiously avoided every species of dissimulation. He was not avaricious, — never sought or acquired much property, but enough to live well; and left enough to render his family comfortable. He thought it less trouble to wait on himself than to call for servants; indeed, he lived in a great measure without them." [1]

He did not think it beneath his dignity to perform any kind of useful labor. While he held the office of Chief Justice he was in the habit of himself taking his corn to the mill to be ground. One day, as he was returning home from an errand of that kind, he met a young law student, who was ransacking the village to find some lad to send to mill, not dreaming for an instant of the possibility of descending to such humble employment himself. The Judge gave him a lesson by saying, "Well, as soon as I have carried home *my* grist, I 'll come and take yours to mill."

He was scrupulously punctual in his attendance upon his senatorial duties. He did not often take part in the debates, but usually contented himself with a brief explanation of his views, and of the grounds of his action.

At the age of forty-seven he married Miss Tryphena Terry of Enfield, Connecticut. They made the journey to Charlestown on horseback, a considerable part of the way guiding their course by marked trees. She survived her husband, who left also three sons, of whom one studied his father's profession.

[1] MS. of Governor Plumer, in the possession of the N. H. Historical Society.

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JOHN PICKERING, LL. D.

C. J. 1790–1795.

Son of Joshua Pickering; born, Newington, 1737; Harvard College, 1761; practiced, Greenland and Portsmouth; died, Portsmouth, April 11, 1805.

Mr. Pickering was a descendant of the prominent early citizen of New Hampshire bearing the same name. He was fitted for college under the instruction of the Rev. Joseph Adams of Newington, and upon his graduation began the study of divinity, but changed it for that of the law. After his admission to the bar he received an invitation to settle as a clergyman in Boston, Massachusetts, but declined it, believing that the legal profession afforded him equal opportunities for benefiting his fellow-men. He was of strong religious feelings, and aimed rather at promoting justice than his own aggrandizement. In the practice of his profession he never refused his services to the poor, though without the prospect of reward. He commenced to do business at Greenland, but in a short time removed to Portsmouth. His talents, his industry, and his integrity secured him an extensive practice. It is said that no lawyer in New Hampshire advocated so many causes as he, and, it is added, received relatively so small a compensation. Though one of the most eminent practitioners of his time, he realized from his business little more than he required for the support of his family.

Mr. Pickering was representative in the Assembly of the province of New Hampshire in 1774, and was chosen a member of the Committee of Correspondence. He was then inclined to oppose the measures of Great Britain towards her American colonies; but being of a somewhat timid constitution, he dreaded the issue of an open breach with the mother country. When the provincial Congress of New Hampshire voted to throw off the British authority and to assume self-government, he was one of those who appeared before the Congress in behalf of the remonstrants against that decided step.

Not long after this time he appears to have taken up his residence in Exeter, from which place he was a delegate to the convention to form a Constitution for the State in 1778. After a short stay in Exeter he returned to Portsmouth, and was thence chosen a delegate to the similar convention held in 1781. Of this

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body he was an important and useful member, and contributed greatly to the difficult task of framing a form of government that the people would accept, and that would have the necessary force. The Constitution of 1783 was termed his "favorite child, of his own begetting."

In 1787 Mr. Pickering was elected a delegate to the convention for framing a Constitution for the United States, but his attachment to his home, and his timidity at encountering the risks of a long journey, prevented his attendance. But he was a member of the New Hampshire convention in 1788 to ratify the United States Constitution, and was among the most influential in procuring its adoption. It is believed that, had he employed his abilities and eloquence as zealously against the instrument as he actually did in its favor, the convention would have rejected it. His connection with the shaping of the organic law of the State was completed by his service in the convention to revise the Constitution in 1791–92, of which he was unanimously elected president *pro tem.* in the absence of the permanent presiding officer, and in which he took an important and useful part.

Mr. Pickering was repeatedly chosen to the legislative bodies of the State, the House and Senate, as well as to the Executive Council. Being the senior senator in January, 1790, when John Langdon upon being chosen a senator of the United States resigned the office of president, Mr. Pickering became for the remainder of the official year President of the State. In August, 1790, he received the appointment of Chief Justice of the Superior Court, and is said to have brought to the position more law learning than any judge who had sat there before him.

He continued upon that bench till his appointment in February, 1795, as Judge of the District Court of the United States. The latter office he accepted, and for some years performed its duties most satisfactorily; but he had been for a long time much affected by hypochondria, which had repeatedly interfered with the regularity of his attendance upon the state courts, and this malady originated such a condition of mental incapacity that in April, 1801, the Circuit Court of the United States appointed one of its judges to take the place of Judge Pickering during his inability. But that court was soon after abolished, and Judge Pickering again assumed his judicial functions, but with his intellect so shattered that in his court he repeatedly used the language of

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profanity, and exhibited marks of gross intoxication. As his life had been always pure, and his habits irreproachable, this deplorable change could have been attributed by impartial observers to nothing but positive insanity; and it might have been expected that those associated with his court would have looked with the utmost sympathy and leniency upon his condition. It seems, however, as if they cared less for what happened to him than for what they could gain for themselves, as the consequence of his infirmity.

In a public point of view it was undoubtedly a very perplexing case. The business of his court was practically suspended. It was important that it should be resumed under a judge with his faculties unimpaired. But there was no method of removing Judge Pickering from the position for which he was obviously unfitted, except by the odious process of impeachment for malfeasance in office. That course was accordingly taken, and the Senate of the United States, sitting as a court of impeachment, heard the evidence in the case, the respondent, though duly notified, not being present. It was proved, clearly enough, that his conduct on the bench had been entirely incompatible with the position; and it was proved scarcely less clearly that this was caused by mental alienation; but after a hearing that did no credit to the tribunal, it was determined by the necessary majority of the senators, who voted on the question, to remove him from his office.

It was little short of a travesty of justice, and was only to be palliated by the ignorance of mental maladies which prevailed at the time, and by the exceptional exigency of the case. It is to be hoped that, should a similar instance of decaying powers in the occupant of any judicial position hereafter occur, some legislative remedy may be devised to secure the interests of the public, without resort to the false and shameful process of impeachment for willful misconduct.

Judge Pickering, before the terrible visitation of insanity came upon him, was a man of specially symmetrical character. His native powers were trained to their best by assiduous study and exercise; he was witty, eloquent, and judicious; his opponents — he had no enemies — could speak only good of him, and in spite of the fact that his profession was cordially disliked by the mass of the people, they all liked *him*. He was a reader and a scholar, but published nothing beyond one or more charges to the grand

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jury and an address to the bar. He was made chairman of the committee to receive President Washington in Portsmouth in 1789, and welcomed him in felicitous terms. He was chosen a member of the American Academy of Arts and Sciences, and was honored by the degree of LL. D. from Dartmouth College.

Judge Pickering married Abigail, daughter of Jacob Sheafe, Esq., of Portsmouth, and had one son and five daughters. Three of his daughters were married to lawyers; namely, Abigail, to William K. Atkinson of Dover; Hannah, to Charles Walker of Concord; and Lucretia, to Isaac Lyman of Portsmouth.

TIMOTHY FARRAR.

J. 1791–1803.

Timothy Farrar was the youngest son of Deacon Samuel and Lydia (Barrett) Farrar, and was born in that part of Concord which is now Lincoln, Massachusetts, June 28, 1747. He lived on his father's farm and attended the schools in his native town till he entered Harvard College in 1763, whence he graduated in 1767. He taught school in Massachusetts about two years, and in 1770 came to New Ipswich and settled upon a farm there, at the same time being employed as an instructor. In 1774 he was chosen first selectman and town clerk of New Ipswich. On the alarm on April 19, 1775, that the British troops had marched out of Boston, he with others, hastily arming themselves, started to meet them, but on reaching Concord they learned that the regulars had retreated to Boston, and proceeded no further.

In 1775 Mr. Farrar received from the Revolutionary government the commission of Judge of the Court of Common Pleas, and also that of major in the militia. He accepted both, and though it is not known that he ever distinguished himself as a military man, he filled judicial stations for forty continuous years with usefulness and honor. *Inter arma silent leges*, and it was not till the Revolution was substantially achieved that the courts were much occupied with business. Meantime, Judge Farrar was from 1778 to his resignation in 1782 a member of the convention for forming a more complete state Constitution, and of the committee to draft the instrument, and from 1779 to 1784 he was a councilor.

In March, 1791, Judge Farrar was transferred to the bench of

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the Superior Court. After five years' performance of his duties there, he tendered his resignation, but on the urgent request of the Executive he was induced to withdraw it. In 1802 he received the appointment of Chief Justice. In the desire that Judge Jeremiah Smith would accept the office, and with the intention of quitting the Superior Court, Judge Farrar took no action upon the appointment, but remained as acting Chief Justice until Judge Smith's acceptance later in the same year. He was then reinstated as Judge of the Court of Common Pleas, and presided there until 1813. On the reorganization of that court in 1813 with a wider jurisdiction, he was appointed Chief Justice, and served as such till a political revolution in 1816.

Though Judge Farrar was originally intended for the pulpit, and had no regular legal training, yet he did not fail to study to qualify himself for his duties. When he received his first appointment he procured a copy of Blackstone's Commentaries, and "read it with more avidity than any girl ever read a novel." He was highly conscientious in reference to his duties, and doubtless omitted no means in his power to enable him to discharge his judicial functions well and thoroughly. When Jeremiah Mason surprised the court by filing a demurrer, Judge Farrar appears to have been the only one of their Honors who had any rational idea of the purpose and effect of the proceeding. He has been described as a man of "strong powers of mind, of large acquaintance with business, and superior in talents and information generally." And in 1796 Judge Jeremiah Smith wrote of Farrar and Dudley, that in his opinion they greatly overmatched the two lawyers who were then upon the bench.

Judge Farrar lived more than thirty years after quitting the judgeship, and died in Hollis, at the home of a daughter, February 20, 1849.

His wife, whom he married October 14, 1779, was Anna, daughter of Captain Edmund Bancroft of Pepperell, Massachusetts. He left a son and three daughters.

EBENEZER THOMPSON.

J. 1795–1796.

Ebenezer was a son of Robert and Abigail (Emerson) Thompson, and was born in Durham, March 5, 1737. His early educa-

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tion was conducted under the advice of Dr. Joseph Atkinson, who afterwards made Thompson his heir. He was prepared for the profession of medicine, and practiced till he became engaged in political affairs, after which he substantially abandoned it. In 1765 he was chosen a selectman of Durham, and rechosen for each of the ten years succeeding, and in 1766 he was representative in the provincial legislature, a position which he continued to fill until the Revolution. He was early recognized as an opponent of the acts by which the British ministry attempted to abridge the liberties of the colonies, and in December, 1774, was one of the party that dismantled Fort William and Mary at New Castle of its ammunition. For this overt act of resistance to the royal authority he is said to have been deprived of his commission of the peace by Governor Wentworth.

He was a delegate to the several provincial Congresses which were elected by the people between the practical dissolution of the royal government and the adoption of the first written Constitution in January, 1776, and was made a member of the Committee of Safety from May, 1775, to January, 1781. He also held the office of secretary of New Hampshire from 1775 to 1786. In 1776 he was chosen a member of the council, and remained such until 1781. During the period of the Revolution he was frequently placed upon the most important committees. He was twice appointed delegate to the Continental Congress, but declined the office.

From 1783 to 1787 he was clerk of the Court of Common Pleas in the county of Strafford, till in the latter year he was made Judge of the same court. From that bench he was in 1795 transferred to the Superior Court, but resigned after about a year's service. Again appointed in 1796 Judge of the Court of Common Pleas, he officiated as such to the close of his life. In 1792 he was an influential member of the convention to revise the state Constitution, and was a presidential elector in that year, in 1796, and in 1800.

Judge Thompson was a man of reading and much general information; of a keen, discriminating mind, a retentive memory, and sound judgment. He was also cautious and shrewd; of much decision of character and perseverance, and in the opinion of those who knew him best, upright and honest. He was plain and unas-

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suming, averse to display, industrious, and devoted to the public interest. He died suddenly at Durham, August 14, 1802.

He married, May 22, 1758, Mary, daughter of Vincent Torr of Dover. They had five children.

DANIEL NEWCOMB.

J. 1796–1798.

Son of Jonathan and Elizabeth (Copeland) Newcomb ; born, Norton, Massachusetts, April 19, 1747 ; Harvard College, 1768 ; practiced, Keene ; died there, July 14, 1818.

Mr. Newcomb, after leaving college, is said to have taught a Latin school in Wrentham, Massachusetts. He then studied theology and preached for a time. Not satisfied to follow the profession of divinity, he prepared himself for the bar under John Lowell of Boston, Massachusetts, and was there admitted an attorney in October, 1778. The same year he came to Keene. Benjamin West, the distinguished lawyer of Charlestown, was his classmate and friend in college, and Mr. Newcomb is understood to have induced him to come to New Hampshire, offering him his choice between Keene and Charlestown as a place of settlement.

The period of the Revolution was not favorable to lawyers, but Mr. Newcomb was an active, prudent man, and as he found himself in 1781 in a condition to marry, he must have soon secured such business as the vicinity afforded. In 1783 his practice was large, and he became a man of note and influence. He had risen into notice during the movement for uniting some of the towns on the western border of New Hampshire with Vermont, and was clerk of the convention held by the delegates from those towns at Walpole in 1780, and a delegate from Keene in the convention at Charlestown the year following. He was opposed to a union with Vermont. He was also a member of the convention to revise the Constitution of the State in 1791–92.

In 1789 he was appointed solicitor of the county of Cheshire, and in 1790 a Justice of the Inferior Court of Common Pleas, but resigned October 2, 1793. In 1796 he was commissioned a Justice of the Superior Court, and kept his seat upon the bench until his resignation in 1798. In 1795, 1800, and 1805 he was a member of the state Senate.

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Judge Newcomb's talents were above mediocrity, but not pre-eminent. He was a good classical scholar, and gathered a library of some value, being a true bibliophile. He read much, and having a tenacious memory was fond of quotations. He is said to have been of an acute rather than a broad mind, and as a lawyer to have been better versed in the forms and proceedings than in the principles of jurisprudence. He had an extensive practice, but was too diffident and sensitive to succeed as an advocate. Though a fair lawyer and an honest man, he was not distinguished as a judge.

It is said that he was a lover of money, and that he was in the habit of repeatedly suing judgments, which he might have collected on execution, to swell the amount of his fees. This is a charge which has been made against many lawyers of his time, and no doubt with too much justice. But it is to be remembered that it was always competent for the debtors to prevent such proceedings by satisfying the judgments when they were recovered; and they understood full well the penalty which the practice of a large proportion of the profession exacted for neglect. Probably Judge Newcomb did no more than most, or many, of his brethren, under like circumstances. He accumulated a handsome fortune, and was the president of the earliest bank established in Keene. He was much interested in the advancement and prosperity of the town. As early as 1793 he established a grammar school there at his own expense, and was largely influential in the erection of the first court house in 1796.

His first marriage, in November, 1781, was with Sarah, daughter of Rev. David Stearns of Lunenburg, Massachusetts; his second, in February, 1800, was with Hannah, daughter of Major William Dawes, and widow of Benjamin Goldthwaite of Boston, Massachusetts. He is said to have sent six sons to college, of whom two died undergraduates. One son, Seth Newcomb, followed the calling of his father.

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EDWARD ST. LOE LIVERMORE.

J. 1797–1799.

Son of Samuel and Jane (Browne) Livermore ; born, Portsmouth, April 5, 1762 ; practiced, Concord and Portsmouth ; died, Lowell, Massachusetts, September 15, 1832.

Mr. Livermore, up to the age of thirteen, lived in Portsmouth, and a part of the time in Londonderry ; in the winter of 1775 he was taken by his father to Holderness. There his instruction was superintended by his father, assisted probably by Dr. John Porter, a graduate of Harvard College, and afterwards a lawyer in Plymouth. He is not known to have attended any academy or college. He acquired his preparation for the bar in the office of Theophilus Parsons of Newburyport, and entered upon his profession in Concord in 1783. In a few years he removed his residence to Portsmouth, from which place he was sent as a delegate to the convention to revise the Constitution of the State in 1791. February 15 of the same year he was appointed solicitor of Rockingham County, but acted as such less than three years. The President of the United States, in February, 1794, gave him the office of District Attorney for New Hampshire, but after holding it till June, 1797, he resigned it. In the same year the Executive of the State elevated him to the dignity of a Judge of the Superior Court, but he quitted the bench in little more than a year after, upon the ground of the inadequacy of the salary, which was then no more than eight hundred dollars. President Adams, September 20, 1798, appointed him naval officer for the port of Portsmouth, a place from which he was removed by President Jefferson in 1802.

July 17, 1799, Judge Livermore delivered an oration at Portsmouth upon the subject of our relations with France. The result was a sharp controversy with a citizen of Boston, against whom he had made certain charges. Although the dispute was referred to arbitration, the party who felt himself aggrieved made a personal assault upon Judge Livermore, in Boston ; but found that he had mistaken his man, for the hot Livermore blood boiled up, and the Judge gave him a severe castigation.

From Portsmouth he removed to Newburyport, Massachusetts, in 1802. He had developed much interest in political affairs, at

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this period, and soon became one of the leading members of the Federal party in his new home. He was chosen to the General Court, from Newburyport, and in 1807 was elected a Representative in Congress. He was kept there four years, and was a determined opponent of the measures of Jefferson and his successor. He made speeches which gained him much credit for firmness and ability.

After his return from Congress he became a citizen of Boston, Massachusetts. There he was selected in 1813 to deliver the annual Fourth of July oration. It was a sharp arraignment of the conduct of the Administration in involving the nation in the war with Great Britain, but was undoubtedly in sympathy with the feelings of a large majority of his hearers. The interest in the oration was heightened by the circumstance that the speaker's oldest son had been wounded and made prisoner about a month before, as a volunteer chaplain in the Chesapeake, when, after a hard-fought action carried on almost within view of Boston, she surrendered to the English ship Shannon.

About 1815 he proceeded with his family to Zanesville, Ohio, with the design of making a home there if circumstances were propitious. But he soon abandoned that idea, and returning to New England, purchased a beautiful farm in Tewksbury, Massachusetts, near the confluence of the Concord with the Merrimac River. There he spent the remainder of his life.

Judge Livermore inherited the prominent qualities of his race: decision, strong powers of intellect and of will, integrity, and a love of justice. Nor did he lack a jot of the courage, the domineering spirit, and hot temper that belong to the name. At the bar these qualities gave him distinction, but not popularity, either among his brethren, or with the public. Though he ranked well in his professional attainments, he never had a very extensive practice, for that would probably have required a greater degree of patient labor than comported with his hasty, ardent temperament. Thus constituted, it might naturally have been a question how far he was adapted to judicial labors. And here the testimony of one who knew, and who was not given to over-praise, is conclusive. "He was a good judge. In that office he was modest, calm, and patient, and acted as a gentleman. As a judge he was popular beyond the expectation of his friends, and by his prudence mortified his bitter enemies."

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He was married first, about 1783, to Mehitable, daughter of Robert Harris, at Concord. She lived about ten years, and left him five small children. His second wife, to whom he was united in May, 1799, was Sarah C., daughter of William Stackpole of Boston, Massachusetts. By this marriage he had seven children, some of whom are still living. The son who has been referred to as a volunteer on board the Chesapeake recovered, and afterwards became a lawyer in Louisiana, and was the author of two legal treatises, one of which, "Livermore on Agency," was for many years the received text-book on that subject. His sister, Harriet Livermore, a gifted but very eccentric lady, passed several years of her life in Oriental lands. Of the younger children, one married Judge J. G. Abbott of Massachusetts.

PAINE WINGATE.

J. 1798–1809.

Paine Wingate, a son of Rev. Paine and Mary (Balch) Wingate, was born in Amesbury, Massachusetts, May 14, 1739. He graduated from Harvard College in 1759, and prepared himself for the ministry. In 1763 he was ordained over the church and society of Hampton Falls, from which he was dismissed in 1776, after some disagreement with his parish, and removed to a farm in Stratham without holding or apparently seeking another pastoral charge. It appears that in April, 1775, he expressed the opinion that a pacification with England upon honorable terms was practicable. He was chosen a delegate from Hampton Falls to the fourth provincial Congress, and attended at least a part of the session. In 1776 he was one of the forty-two men in Stratham who refused to sign the Association Test. It is probable that he took no active part on either side during the Revolution, but lived quietly, busying himself with the pursuits of husbandry.

He was chosen in 1781 a delegate to the convention to frame a permanent plan or system of government for the people of the State, which after repeated sessions produced the Constitution that was adopted in 1783. In the latter year, and also twelve years later, he was a representative of Stratham in the state legislature. In 1787 and 1788 he was a member of the Continental Congress; in 1789 he was chosen a senator of the United States, and took part in the opening of the new national government under the

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Constitution. In fixing the term of the first senators, his was for four years only, and expired in 1793, whereupon he was chosen to the lower House of Congress, and in that position completed his eight years of congressional service. In 1798 he accepted the appointment of Judge of the Superior Court, and discharged its duties until he reached the constitutional limit of age, in 1809. When he assumed the post he was unacquainted with the science of the law and with the modes of judicial proceedings, besides being nearly sixty years of age, and past the time for ready acquisition of new habits of thought and action. Like many men unlearned in the law, he failed to realize the importance of general rules, and believed that it was practicable to fit an equitable decision to every special case. Moreover he was inclined to hold pertinaciously to his first impressions; insomuch that Theophilus Parsons remarked "that it was of great importance that Judge Wingate should form a correct opinion before he pronounced it, for after that, law, reason, and authority would be unavailing." Though he was a man of talents, of strong mind, retentive memory, and great general information as well as of strict integrity, he appears not to have been considered so well adapted to the judicial functions as some others of less education.

After retiring to private life he passed nearly thirty years in agricultural pursuits, upon his homestead, where he died March 7, 1838.

His wife was Eunice, daughter of Deacon Timothy Pickering of Salem, Massachusetts. They had five children.

ARTHUR LIVERMORE.

C. J. 1799–1813.

Son of Samuel and Jane (Browne) Livermore; born, Londonderry, July 26, 1766; practiced, Concord, Chester, and Holderness; died, Campton, July 1, 1853.

It is not known that Arthur Livermore received a public education, but as during his minority his home was in the frontier town of New Holderness, it is probable that his father, or perhaps his father's friend and protégé, Dr. John Porter, was his principal instructor. His subsequent career proved that he was well taught and well informed. The earliest glimpse we have of him is as a youth of sixteen, accompanying the court to Keene in 1782,

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when the discontents of the people led to the attempt to close the courts by a show of force. The story is well told in the Life of William Plumer. John Sullivan, then Attorney-General of the State, was the hero of the occasion, and unquestionably was of the greatest service to the court and to the cause of good order, by the bold front with which he met and disposed of the demands of the disaffected populace. Young Livermore, a youth of courage and spirit, acted as extempore aid to Sullivan. He described, at a later day, the skill and eloquence of the General. "I thought," said he, "if I could only look and talk like that man, I should want nothing higher or better in this world."

He studied law with his brother, Edward S. Livermore, in Concord, and opened an office in that place in 1792, but the next year changed his residence to Chester. There he was chosen representative to the General Court in 1794 and 1795. In 1796 he proved that he inherited the ardent temper of his race by cowhiding the notorious "Lord" Timothy Dexter, at that time an inhabitant of Chester. The sufferer gives what is now a ludicrous account of the assault, in his "Pickle for the Knowing Ones." He dwells especially upon the ingratitude of his assailant, to whom he had formerly lent "200 dolors." The merits of the affair are now beyond the reach of investigation, but it is safe to say that there was no loss of time on Livermore's part in resorting to the argument of the cowhide.

On December 6 of the same year he was commissioned solicitor of the county of Rockingham, and performed the duties of the appointment until December 21, 1798, when he was raised to the bench of the Superior Court. He then quitted Chester, and returned to the paternal mansion, which he had inherited, in Holderness. He continued associate Justice until 1809, when upon the resignation of Judge Jeremiah Smith he was made Chief Justice of the Court. On the "reorganization" of the courts in 1813 he was continued on the bench as associate Justice of the "Supreme" Court, while Judge Smith was again appointed Chief Justice. But notwithstanding he accepted his new appointment, he did not believe such a wholesale change of the judiciary to be warranted by the Constitution, and took an early occasion to state this opinion publicly from the bench. Considering this circumstance, it is rather remarkable that, when his party regained the power in 1816, and legislated the "reorganized" court out

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of existence, they did not reappoint Judge Livermore; but they failed, for some reason, to do so.

The same year he was chosen a Representative in Congress, and rechosen in 1818. In 1821 and 1822 he was a member of the state Senate, and in March, 1823, he was elected to Congress for a third term. In the interval of his congressional service, on July 5, 1822, he was commissioned Judge of Probate for the county of Grafton, but resigned the situation the next year. He was not suffered to remain long out of the public employ, for in 1825 he was appointed Chief Justice of the Court of Common Pleas, and administered the office until 1833. At the close of his official life he sold his place in Holderness, and removed to Campton, where he spent the rest of his days.

Judge Livermore has been well characterized as a "man of strong, uncertain powers." It was unpleasant to have him against you, and not entirely safe to have him with you. His temper was naturally high, and he had no sufficient control of it. Hence he did acts in his official capacity which involved him in serious trouble. At the opening of one term of the court he was annoyed, as he had before been, by the want of punctuality in the attendance of the counsel. Without waiting to learn the reason, he directed the crier to adjourn the court without day, remarking that by the next term the lawyers would probably learn to appear in proper season. On another occasion he is said in a fit of passion to have grossly insulted a peaceful and reputable member of the bar, in open court. On both these occasions he narrowly escaped severe censure, or perhaps an address for his removal, by the General Court.

He must have possessed sterling compensatory virtues, to have received from the legislature and the people such tokens of their confidence and favor for the period of thirty-five years. He is represented as not being remarkably learned in the law, though an anecdote that is related of him shows that he was familiar with its terminology, at least. About the time he ascended the bench, some changes had been introduced in the form of the count in the "writ of entry," not pleasing to the taste of the older lawyers. On one of these declarations being read before Judge Livermore, he exclaimed, "In a plea of land," as that phrase grated harshly on his ear, — "in a plea of land! You might as well declare in an action of trover 'in a plea *of a horse!*'"

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His wife was Louisa Bliss of Haverhill. They were the parents of several children, of whom three graduated from Dartmouth College, and two followed the law.

JEREMIAH SMITH, LL. D.

C. J. 1802–1809; 1813–1816.

Son of William and Elizabeth (Morison) Smith; born, Peterborough, November 19, 1759; Queen's College, 1780; practiced, Peterborough and Exeter; died, Dover, September 21, 1842.

As a child, Jeremiah Smith was noted for his eagerness in the pursuit of knowledge. At the age of twelve he began the study of Latin, and soon afterwards of Greek, under the tuition of Rev. Mr. Emerson of Hollis, and was admitted to Harvard College in 1777. About the same time he volunteered in a military company raised for two months to march under General Stark to check Burgoyne's advance. He fought bravely at Bennington, and was slightly wounded. Returning to college, he completed his sophomore year there, and then migrated to Queen's, now Rutger's College in New Jersey. The five years following his graduation he spent in teaching and in reading law, a part of the time in Barnstable, Massachusetts, where his preceptor was Shearjashub Bourne, and a part in Salem, Massachusetts, under William Pynchon. In 1786 he made application to the bar of Hillsborough County for admission. It was objected that he did not produce certificates of the required period of study. As the court was to adjourn the following day, Smith rode all night to procure the certificates, and returned the next morning with them; but was then told it was too late to hold another bar meeting at that term. This put him upon his mettle, and he rose in court and stated the conduct of the bar towards him. The judges at once ordered his admission. Smith wrote to a friend that "it was devilish hard to be refused admittance to *bad* company." The lawyers were discomfited, but the candidate's fitness was so indisputable that they were quite willing to keep on the right side of him, afterwards.

He first settled in his native town, whose citizens soon made him useful as town clerk and selectman. In 1787 and the two following years he was a representative in the legislature, and was placed in 1789 upon a committee to revise the laws of the

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State, a duty to which he devoted much labor. In 1791 and 1792 he was an active and influential delegate to the convention which framed the Constitution of the State under which our fathers lived for more than half a century.

Mr. Smith was first elected to Congress in 1790, took his seat in March, 1791, and retained it by repeated elections till 1797, when he resigned. Though never deeply interested in party politics, he was recognized as a leading man in the national legislature, and was the intimate friend, and afterwards the correspondent, of such eminent statesmen as Fisher Ames and Christopher Gore. During his political career he was at one time a guest at Mount Vernon of President Washington, for whose character he conceived the highest admiration and reverence.

When he left Congress he changed his residence to Exeter, which was thereafter his home until a little time before his decease. He received the appointment of United States District Attorney for New Hampshire in 1797, and acted as such until 1800, at which time the office of Judge of Probate for Rockingham County was conferred upon him. While occupying the latter position, he gathered from all the scattered sources then accessible the materials of a treatise on Probate law. They formed a valuable compend, which was published after his death, in the volume of his "Decisions."

One of the later official acts of President John Adams was to sign the commissions of a number of Judges of the Circuit Court of the United States, in pursuance of a law constituting that tribunal. Mr. Smith was the Judge designated for New Hampshire. This was presumptively a life appointment, and of high importance, and Judge Smith proceeded with more than his usual diligence to fit himself for the post, by unintermitted study for some fourteen hours per day, during a period of three months. But to his extreme disappointment, no doubt, President Jefferson gave the word for repealing the act establishing the Court, and after a few terms' attendance his tenure of the office ceased. What was a loss to the nation was a gain to the State, for in 1802 he was persuaded to accept the Chief Justiceship of the Superior Court. He was reluctant to do it, chiefly because of the obvious inadequacy of the salary; but the legislature increased it in order to induce him to undertake the office, and a few years later added a much larger increase, to keep him in it. He presided in the court

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most satisfactorily till 1809, when he resigned upon the desire of his friends in order to take upon himself the office of governor of the State. He held it a single year, and was not reëlected, very little to his regret, however, for he had no liking for the place. He had found that the ways of politicians were not his ways.

He returned to his professional work, and was busily employed in it until 1813, his engagements taking him into several counties, and measuring him with such antagonists as George Sullivan, Daniel Webster, and Jeremiah Mason. He could hardly be said to suffer by comparison with even the greatest of them; for in certain respects no one of them was his superior, to say the least. They were his friends and admirers, and it was chiefly by the persuasions of the latter two that he was induced again to take his place upon the bench.[1] The political party to which Judge Smith belonged had made a radical change in the judiciary of the State in 1813, partly on account of the defects of the former system, and partly to rid the State of some incompetent judges. The voice of the leading men of the party was unanimous in urging Judge Smith again to take the chief justiceship. They felt that no appointment save that of a jurist of his high attainments and character could justify the wholesale revolution of the courts, and reconcile the indignant minority to the change. He yielded to their importunity, and somewhat reluctantly took the appointment. He found it, as he feared, no bed of roses. One of the ousted judges had been reappointed, and even he made no secret of his opinion that the abolition of the old courts was unconstitutional; while the other two ex-judges for a while went the circuit, and held court in rivalry with the new judiciary. The sheriffs of two counties adhered to the old judges, and it was perhaps only the fact that the latter were not strong men nor able lawyers that prevented a great minority of the people from actively taking sides with them.

The course of Judge Smith and his excellent associate Judge, Caleb Ellis, at this critical juncture, was worthy of all praise. They did not attempt to resist the proceedings of the late judges, but simply ignored them, and kept on in the performance of their

[1] The eminent Judge Story, a friend and admirer of Judge Smith, at the Circuit Court over which he presided in October, 1812, bestowed upon him and Jeremiah Mason the "honorable degree of sergeants at law," and the degree of barristers of law upon Mr. Sullivan, Mr. Webster, and two others.

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duties as if there were nothing in question. After two or three terms of empty pretensions, the attempt to keep alive the old court collapsed. Judge Smith remained at the head of the new judiciary for three years, and fully maintained the high reputation which he had acquired, as a learned, able, and upright magistrate.

The political revolution of 1816 brought in a new court, and Judge Smith returned again to the bar. Among the important retainers which came to him about this time was that of Dartmouth College, in the celebrated suit concerning the rights of that corporation under its charter. His able and learned argument in behalf of the college is reported in Farrar's History of the case.

In 1820 Judge Smith retired from practice. He had then acquired a competency of property, and had reached a time of life when he had the right to rest from severe labors. He was not without occupation; he was the president of the bank and treasurer of the Academy of Exeter, and never allowed his powers to become rusty by disuse. He read much and wrote no little, and enjoyed heartily the social and domestic pleasures of home life. A few of his last years he passed in Dover, in the midst of the relatives of his wife, and there he died, September 21, 1842.

Judge Smith did more, perhaps, for the improvement of the jurisprudence of the State than any other man. Like the monarch who changed a city from brick to marble, he found the law without form and void, and during his connection with the courts he reduced it to order and harmony. His genius was constructive; he had the systematizing faculty. He did not conceive of the law as a mass of detached, independent rules; in his mind it was a series of requirements, each connected with and deducible from great central principles. Before his day the judges were mostly unversed in the technique of the law, and aimed at what they deemed to be equitable conclusions. The result was that no man could foresee with any confidence the issue of any cause. Judge Smith drew straight the lines which had been confused or obliterated, and gave the bar and the public firm ground on which to stand. The counsel who knew the law began to take his place above the mere tonguey man who saw nothing beyond the case in hand. The influence of this upon the bar and upon the administration of remedial justice could not fail to be of the

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most beneficial character. Fortunately we have now the evidence of Judge Smith's reformatory work in a durable form. A volume of his decisions, from his own manuscript, has been recently published, which bears unmistakable testimony to his vigorous and scientific administration of the law. Upon its appearance, it was remarked by an eminent judge that it was unfortunate that it had been withheld so long, for if the opinions contained in it had been at once promulgated, great expense would have been saved to parties who subsequently litigated the very questions which Judge Smith had before settled so conclusively.

Judge Smith himself repudiated the idea that he was possessed of what is termed genius. He attributed his success to the gifts of hard work and a tenacious memory. It is certain that he possessed these, and more. He may not have been a great originator, but he certainly was unsurpassed in the art of making the utmost of the materials *in esse*. His logic, his method, his expression, his wit, made him a power in every situation. He resorted to no artifices to gain advantage; he despised appeals *ad captandum vulgus;* he won his way by sheer force of power and skill.

His wit was as keen as a Damascus blade. When the repeal of the law establishing the United States Circuit Court left him for a short time briefless, he was at court in Hillsborough County, and two of the humorists of the bar slightingly offered to pass up to the clerk his list of new entries. Smith gravely wrote and handed them the following: —

Common Sense *vs.* Baruch Chase.
Common Honesty *vs.* Nathaniel Green.

The defendants felt that they took nothing by their motion.

Chief Justice Parsons of Massachusetts was a friend of Judge Smith, and knew well his power of repartee. After a social evening in which Judge Smith had shone, as usual, in a select company, his absence was noted at breakfast the next morning and the inquiry was made where he was. "Oh!" said Parsons, "he is in bed, resting that —— tongue of his."

Numerous instances of his bright and sarcastic sayings are still related, but one characteristic one is sufficient. In an Exeter town meeting, the question was considered of building a new fence about a burying-ground. Judge Smith opposed it. "What is the need, Mr. Moderator," said he, "of a new fence about such a

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place? Those who are outside of it have no desire to get in, and those who are inside *cannot* get out!"

Unlike many men who have passed the age of anticipation, Judge Smith found his later days his happiest days. He lived, to use the expression of his friend Daniel Webster, "among his books and his friends," and each ministered in turn to his hearty enjoyment.

One who knew him well wrote of him: "Smith in his old age, even more perhaps than at an earlier period, was the delight of both young and old by the rare gift of his conversational powers. While his good sense and his industry made him an able lawyer, there was high originality, true genius, in his humor. What gayety, what waggery and exuberance of youthful spirits in this arch and facetious old man. . . . In his graver moods Smith was equally interesting with the stores of his learning and his reminiscences of Washington, Hamilton, Marshall, Ames, and other great men with whom he had become acquainted while in Congress."

The estimate of Judge Smith by Daniel Webster, in a letter to Chancellor Kent in 1825, ought to be preserved. "You know Judge Smith of New Hampshire, at least in his public and professional character. I wish to recommend him to you on the score of private worth and social qualities. There are few men in the world, I think, more to your taste. I entertain for him the highest regard and true gratitude. When I came to the bar he was Chief Justice of the State. It was a day of the gladsome light of jurisprudence. . . . He knows everything about New England, having studied much its history and its institutions; and as to the law, he knows so much more of it than I do or ever shall, that I forbear to speak on that point."

Of Judge Smith's writings there have been published a eulogy on Washington at Exeter, in 1800; his argument in the Dartmouth College case, in Farrar's History; his oration on the two hundredth anniversary of the settlement of Exeter, in the sixth volume of the New Hampshire Historical Society's Collections; and the volume of his legal opinions, etc., already referred to.

His eminence as a jurist and in letters was recognized by the bestowal upon him of the honorary degree of LL. D. by Dartmouth College in 1804, and by Harvard in 1807.

His first marriage was with Elizabeth, daughter of Alexander

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Ross of Bladensburg, Maryland, March 8, 1797. She died June 19, 1827. He was united, September 20, 1831, to Elizabeth, daughter of Hon. William Hale of Dover, who survived him. Their son, Jeremiah Smith, since a lawyer and Judge of the Superior Court, was the only child who outlived the subject of this sketch.

WILLIAM KING ATKINSON.

J. 1803–1805.

Son of William and Mary (Wendell) King ; born, Portsmouth, January 6, 1765 ; Harvard College, 1783 ; practiced, Dover ; died there, September 29, 1820.

Young King, which name he bore until he was about twenty-five years of age, received good preliminary instruction in the schools of Portsmouth, and under a private teacher, so that he was admitted to college at the age of fifteen. He was a fair scholar, and good in mathematics, insomuch that he was subsequently an aspirant for the appointment of professor in that department. Shortly after his graduation he began the study of the law in the office of John Pickering in Portsmouth, and combined therewith the quite as agreeable study of making himself acceptable to Mr. Pickering's daughter. After being admitted an attorney, he set up an office in Berwick, Maine, for a year, and then removed in 1787 to Dover, his permanent home.

In the February preceding, his uncle, George Atkinson, died, through whom a large, valuable estate passed to him upon the condition of his taking the surname of Atkinson, which he accordingly did, and had the adoption sanctioned by an act of the legislature. He also about the same time received the appointment of register of Probate for Strafford County, as successor to John Wentworth, Jr. The next year a law was enacted providing for the appointment of a solicitor in each county to conduct the criminal business in the absence of the Attorney-General, and Mr. Atkinson was designated as the first solicitor in his county.

The offices which he held were not lucrative, but they brought him in some pecuniary returns, and contributed to extend his acquaintance and his professional engagements. He was industrious and attentive to business, an excellent collecting lawyer, and prudent in his own concerns ; and the road seemed open to

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him to fame and fortune. He had some literary pretensions, also, and wrote wittily. In 1791 he was selected to deliver the Fourth of July oration at Dover, which was thought worthy of publication.

In the year 1803 Mr. Atkinson was appointed a Justice of the Superior Court of Judicature. He sat upon the bench about two years and a half, when he resigned his commission without reluctance. On accepting the office, he still retained the place of register of Probate and continued to perform its duties, notwithstanding the provision of the state Constitution which forbade judges to hold any other office than that of justice of the peace. Moreover, he did not resign his appointment of county solicitor, though he never assumed to act as such, it is believed, while he was Judge. But his apparent clinging to offices which were clearly incompatible with the proper performance of his judicial functions was the occasion of much animadversion. Mr. Mason, in particular, excepted in court, where Judge Atkinson was present, to the admission of certain records from the Probate office certified by W. K. Atkinson, Register, on the ground that the register had by accepting the judgeship vacated the other place. Mr. Mason, who was also Attorney-General at the time, threatened to absent himself from the court when the criminal business came on, that Judge Atkinson might descend from the bench and perform the duties of solicitor. In June, 1805, the legislature increased the salary of the *Chief* Justice from one thousand to fifteen hundred dollars a year, still leaving that of the associate Justices at eight hundred dollars each. The object was to secure the continuance upon the bench of Chief Justice Jeremiah Smith, who had declared that he could not afford to hold the appointment for a less salary. Thereupon Judge Atkinson presented a memorial to the legislature at their autumn session, stating that his salary was inadequate, and praying that it might be enlarged, with an intimation that he could not continue to hold the position in case his wishes were not complied with. The legislature having adjourned without granting his request, he resigned. In February, 1807, he received from the Executive of the State the appointment of Attorney-General, the duties of which he discharged for about five years. All this time he had been a pluralist, for he had retained, and acted in, the office of register of Probate also. But the tenure of two or more public positions,

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even if incongruous, was not without example in the early history of the State; and it is not alleged that it led, in the case of Judge Atkinson, to any injurious results.

After the expiration of his term as Attorney-General he resumed his practice at the bar, but held no public station, except that of register of Probate, which he resigned about a year before his decease. Judge Atkinson was unquestionably a man of uncommon talents. For many years he managed with skill and success an extensive law business, and was selected by successive state administrations for duties of importance and responsibility.

Towards the close of his life he is said to have fallen into habits of inebriety, so that there were times when he was unfitted for business, and his own affairs were neglected, and suffered in consequence.

He was united in marriage, September 3, 1788, to Abigail, daughter of Judge John Pickering of Portsmouth. His daughter Frances married Asa Freeman, a counselor at law.

RICHARD EVANS.

J. 1809–1813.

Son of John and Susanna (March) Evans; born, Portsmouth, May 13, 1777; died, Hopkinton, July 18, 1816.

This gentleman was of Welsh descent, and was not regularly bred to the profession of the law. The public schools of Portsmouth afforded him his early education, which he supplemented by private reading afterwards, having a strong desire to acquire information. At the age of seventeen he entered into trade on his own account. By an advertisement in a Portsmouth newspaper in 1798, it appears that he dealt in "muffs, tippets, blankets, and other merchandise." Though he was successful in his business for a while, it ended in failure.

His first essay in the law is said to have been in a suit wherein he was the defendant, in the year 1804. He tried it for himself, and though he was opposed by able counsel, acquitted himself with much credit, and is stated, in spite of the adverse charge of the judge, to have gained the verdict. However that might be, there was but a single opinion of the remarkable ability with which he conducted his defense. He became at once a conspicuous figure, and the next year by invitation delivered a Fourth

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of July oration in Portsmouth. Being a Republican in politics and an ardent partisan, he was soon recognized as a leader, and wrote for the newspapers and made addresses at meetings of his party friends. He was made a representative in the state legislature from 1805 to 1809, inclusive, and was an active and earnest member. He spoke with fluency and force, and became a chief of his party, though it is intimated that his zeal sometimes outran his discretion. While he was a representative, about the year 1808, he was one of several gentlemen concerned in the establishing and editing a political journal in Concord, called the "American Patriot," which was the next year disposed of to Isaac Hill, and by him, under the name of the "New Hampshire Patriot," made the most influential paper in the State.

After his success in managing his own cause in court, Mr. Evans gave a considerable time to the perusal of treatises upon the law, with a view to qualify himself for practice, it is alleged. But rather unwisely, as the event proved, he determined to do his studying by himself, and not to enter the office of a practicing lawyer. He was a friend of Governor Langdon, and in 1809, on the occurrence of a vacancy on the bench of the Superior Court, the governor appointed him a Justice of that court. His Excellency had witnessed the success which laymen of ability had won in that field in former years, and not being aware that a new generation of lawyers had sprung up, better educated in the technicalities than their predecessors, undoubtedly thought he was doing a wise act to place a non-professional man upon the bench.

Judge Evans gave as his reason for accepting the office, "that it was in a great measure to gratify the wishes of many who thought it important to have one judge who possessed some practical knowledge of commercial affairs and the ordinary pursuits of life, and who, not having engaged in the active practice of the law, although possessing some knowledge of its general principles acquired by a course of private study, might be free from those prejudices which too often attach to those whose pursuits are confined to the practical part of professional life."

But upon entering on his judicial functions, he soon found reason to regret the want of the very training and experience which he had before undervalued. The abler lawyers, especially those of the opposite political party, in disgust at the appointment of a person from outside the bar, made it their business to show

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the unwisdom of the selection by worrying the judge. A plentiful crop of pleas in abatement, special demurrers, and other like legal refinements came suddenly before him for determination, and made his life a burden. He attended to his duties in the courts with regularity for a time, but at length his health suffered, and he became incapable of meeting the requirements of his position. His political friends regarded the treatment which he received from a large portion of the bar as simple persecution, but the more impartial could not fail to see that he had undertaken duties which neither his training nor his delicacy of constitution enabled him to perform to complete satisfaction.

Four years after his appointment a political revolution in the State put the power into the hands of the opposite party, and they made use of it to repeal the law establishing the Superior Court, and to create a Supreme Court in its stead. This wholesale mode of disposing of obnoxious judges was deemed by the victims and by their supporters a violation of the state Constitution; and had the judges thus summarily dispossessed of their authority been men of acknowledged judicial ability, their entire political party would probably have sustained them in insisting that the repealing statute was unconstitutional and inoperative. What infinite confusion and collision this would have occasioned may easily be imagined.

But though the ousted parties, Messrs. Evans and Clagett, made for some months continual claim that they were still the lawful judges, and attended the courts as such, and made abortive attempts to go on with the judicial business; and though Arthur Livermore, their late chief, who had accepted an appointment on the new bench, arraigned the very statute under which he was acting, yet their efforts were so fruitless, and their condition was so helpless, that they excited derision rather than indignation or sympathy. And when, in 1816, by the return of their party to power, the judiciary law of 1813 was repealed, they shared the fate of their successors in being removed by address, and an entirely new set of judges was nominated.

Judge Evans, having been for three or more years in failing health, and in narrow pecuniary circumstances, presented to the legislature, at their June session 1816, a memorial in which he recited his condition, and prayed for the payment of his salary as judge, from 1813 to 1816, "to relieve his pressing necessities."

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The committee to whom his petition was referred must have been in a dilemma. By removing Messrs. Evans and his associates by address, the legislature had treated the judiciary act of 1813 as a nullity, and had recognized their tenure of office up to 1816 as valid. If that were so, then as Judge Evans continued ready to perform the duties, he was legitimately entitled to the emoluments attached to his office, and logically they should have granted his petition. But the committee felt that it would never answer to pay the judges their stipend when all the business was transacted by another court. They therefore postponed the consideration of the memorial to the session of the legislature to be held the succeeding November. Before that time the petitioner was in his grave.

Judge Evans was unquestionably a man of superior intellect, of undoubting confidence in himself, and of indomitable pluck and tenacity of purpose. The want of a thorough, and especially of a technical education and a lack of prudence and careful judgment were the most serious obstacles in the way of his attainment of the highest success in the station to which his talents and honesty had elevated him. His was the last instance of the appointment of a non-professional man to the position of Judge of the highest court in this State.

Three years before his death, Judge Evans, in the hope that a country residence would be beneficial to his health, as well as from motives of economy, removed to Hopkinton, near the border of Concord, and dwelt upon a farm. It was too late, however, to arrest the progress of his fatal malady.

He had married, in 1810, Ann, daughter of Samuel Penhallow of Portsmouth. Their son, Richard S. Evans, was a lawyer.

JONATHAN STEELE.

J. 1810–1812.

Son of Captain David and Janet (Little) Steele ; born, Londonderry, September 3, 1760 ; admitted, 1787 ; practiced, Nottingham and Durham ; died, Durham, September 3, 1824.

After obtaining the nearest approach to an academical education which was to be had at that early day, young Steele became a student at law with John Sullivan in Durham, and in due time established himself in practice there. Diligent in study, he

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was equally assiduous in guarding the interest of his clients, and soon became known as a lawyer of more than ordinary learning and skill. He was said, however, to have little knowledge of human nature, and never to have acquired the arts of popularity.

In 1789 he was appointed by his father-in-law, John Sullivan, who was United States Judge for the District of New Hampshire, the clerk of his court, and after Judge Sullivan's decease in 1795, he was reappointed by Judge John Pickering his successor in the office. When the latter, by a perversion of justice, was removed from the judgeship, Steele, who had been one of the witnesses against him, was tendered the appointment of United States district attorney, but declined to accept it, avowedly because he was unwilling to profit by the misfortune of his former chief, to which he had been made to contribute by his testimony.

In 1804 he was chosen one of the presidential electors for New Hampshire, and in 1805 was the representative of Durham in the legislature. In 1810 Governor Jeremiah Smith, who knew him well and thought him an eloquent advocate, not easily to be surpassed, gave him a place upon the bench of the Superior Court. He kept it but two years, when he sent in his resignation, finding his situation uncongenial and the salary insufficient.

Judge Steele returned to his legal practice, but though he was then only fifty-two years of age, and had the standing of a leader at the bar, he appears to have accomplished very little outside of his own town afterwards. His friends thought him too diffident to assert his proper place in society, and it is clear that he was sensitive to adverse criticism, contentious about matters of trifling consequence, and unhappy in his domestic circumstances. He became unsocial, and withdrew from intercourse with his fellows. He labored upon his farm as diligently as his hired hands, and most of the residue of his life seems to have been to him *dies non juridicus*.

In his later years he became much interested in religious concerns, and gave liberally for the maintenance of public worship.

He was married, January 23, 1788, to Lydia, daughter of General John Sullivan of Durham, and had a daughter and a son, who lived to maturity.

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CLIFTON CLAGETT.

J. 1812–1813.

Son of Wyseman and Lettice (Mitchell) Clagett; born, Portsmouth, December 3, 1762; practiced, Litchfield and Amherst; died, Amherst, January 25, 1829.

Acquiring his professional training under the direction of his father, Mr. Clagett began practice in Litchfield as early as 1784. There he continued to reside until 1811, when he went to Amherst, in which he made his subsequent home. From Litchfield he was repeatedly elected a representative in the General Court, and from Amherst in 1816. Three terms he was chosen and served in the Congress of the United States, in 1802, in 1816, and in 1818. In 1810 he was appointed Judge of Probate for the county of Hillsborough, and resigned the office on being commissioned a Justice of the Superior Court in 1812. The latter position he occupied but a single year, when by a change in the organization of the judiciary the Superior Court was abolished. In 1823 he was again made Judge of Probate for his county, and continued in the discharge of his duties as such during the remainder of his life.

Judge Clagett had no brilliant powers of mind, and was not an extraordinary lawyer; but he was honest, and undoubtedly served his constituents faithfully and satisfactorily in the various political trusts which he assumed. As a Judge of Probate, too, no intimation has been discovered that his conduct was not entirely approved by the people.

Governor Plumer has left it on record that he consented to the appointment of Judge Clagett with reluctance, because he did not consider him suitable for the place. The history of the legislating out of existence of the Superior Court, and of the fruitless measures taken by the ex-judges to retain their places, is given in the biographical sketch of Judge Richard Evans in this work.

When in 1816 the success of the Republican party enabled the legislature to restore the Superior Court, Judge Evans was in the last stages of consumption, and Judge Clagett was not reappointed.

But the fact that seven years afterwards he was replaced in the office of Judge of Probate, and acted as such through life without

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exception, makes it clear that though he may not have been eminent as a jurist, yet his honesty and the rectitude of his intentions could not have been questioned.

He is said not only to have lacked the witty powers which characterized his father, but to have been unable even to appreciate them. Mr. Adams, the clerk of the Superior Court, once repeated to him some of the epigrams and *bon mots* of the elder Clagett, but the son could see nothing worthy of admiration in them. Judge Arthur Livermore, on being informed of this, remarked: "Clagett has put off the old man!"

His wife was Margaret McQuesten, of Litchfield. His children were eight daughters and one son, William, the lawyer of Portsmouth.

WILLIAM MERCHANT RICHARDSON, LL. D.

C. J. 1816–1838.

Son of Captain Daniel and Sarah (Merchant) Richardson; born, Pelham, January 4, 1774; Harvard College, 1797; practiced, Portsmouth; died, Chester, March 23, 1838.

With the exception of Judge Jeremiah Smith, perhaps no occupant of the judicial bench has done so much to shape the jurisprudence of New Hampshire as the gentleman above named. When he came into office, no printed reports of cases previously adjudicated in the State were in existence, there was little uniformity of practice, and great uncertainty about many branches of the law, more especially in regard to the construction of statutes. At the close of his long, diligent, and efficient service, the rules of practice had become well established, and the decisions of his court had been published to the profession, and were recognized as of value and authority in this State and elsewhere.

As has happened in many another instance, an accident gave him to the law. His father was one of a line of cultivators of the soil, and the son was employed in the same calling until he was about fifteen years old, when he met with a severe injury to one of his hands, which unfitted him for a time for manual labor, and caused him to turn his attention to study. He prepared himself for college, and graduated with a high rank for scholarship. He next engaged in teaching, first in the academy at Leicester, Massachusetts, where his application was injurious to his health; and

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subsequently, after some interval of rest, as preceptor of the academy in Groton, Massachusetts. While occupying these positions he devoted himself assiduously to the cultivation of his literary powers. He there acquired the easy and graceful style which distinguished all his writings, and indulged in poetical composition, for which he had much taste and aptitude.

While at Groton he formed the acquaintance of Judge Samuel Dana, who invited him to enter his office as a student. This probably decided Mr. Richardson to choose the law as a profession, and he engaged in the study with diligence. He passed his examination for admission to practice with credit, and was at once received as the partner of his preceptor. Of course he found himself in abundant employment from the start, so that his patience was never tried by the vexatious process of waiting for clients.

It was not long before he acquired an enviable standing as a lawyer and a man in his community, and when in 1811 a vacancy occurred in the office of Representative in Congress in the district, he was chosen to fill it. He was a Republican of that day, though not a violent partisan, made one or more speeches, and altogether showed a very creditable figure in Congress. But he had no fancy for political life, and shortly after being reëlected he resigned his seat.

In 1814, being made United States attorney for the District of New Hampshire, he removed his residence to Portsmouth, and entered into practice there. It is evident that he was at once recognized as a lawyer of the first capacity, for when, on the reorganization of the courts in 1816, Governor Plumer nominated him for Chief Justice of the highest judicial tribunal to a council politically divided, and in high party times, he was unanimously confirmed.

He was now in the position for which his powers were peculiarly well adapted, and was at first ably supported by his associates. He devoted himself with characteristic application to his duties; and it may have been in consequence of this that he was attacked shortly after his appointment by a dangerous illness which brought him to death's door. He slowly recovered, but the effects of the disease were visible throughout the remainder of his life. A slight lameness was one of these; his nervous system was also affected, and he was liable to periodical fits of sickness,

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afterwards. But he never relaxed his habits of industry, and nothing but absolute physical inability could keep him from his papers and his studies.

The famous Dartmouth College controversy culminated in one of the earlier important causes which came before the Court after Judge Richardson's appointment. The weighty questions involved in it were argued by the ablest counsel, and the opinion, in which all the Court were united, was prepared and delivered by the Chief Justice. Notwithstanding it was afterwards overruled by the Supreme Court of the United States, the decision has always been regarded as able, and by some jurists as the more correct statement of the law.

The limits of this sketch do not admit of any specification of the judicial labors of Judge Richardson during the nearly twenty-two years of his service. The pages of the first six volumes of the New Hampshire Reports attest his diligence and fidelity and learning. A part of the time while he was on the bench his associates were obviously his inferiors in judicial qualifications, and the gravamen of the work fell upon him. But he sustained it cheerfully, and the reputation of the tribunal in which he presided never suffered.

In holding jury terms of the court he appeared to no less advantage. His quickness to see and appreciate the points made by counsel, his readiness to apply his wide knowledge of legal principles to the shifting vistas of a trial, his entire freedom from bias, all combined to make him an admirable nisi prius judge. He had little pride of opinion, and was always ready to yield his first impressions to the force of argument or authority. In the earlier years of his judicial experience, particularly, the leaders of the bar were men of logic and research, and their forensic contests sometimes occasioned displays of legal argumentation that might well cause the judgment of the strongest mind to halt between two opinions. Judge Richardson was thought by some almost too ready to abandon a ruling he had once made, as soon as he began to doubt if it were tenable. On one occasion Jeremiah Mason was pressing a point to him with his usual force, and the Judge, to save him the trouble of further argument, remarked, "Brother Mason, the impression of the Court is in your favor." "Yes," replied the great lawyer, "but I want your Honor to stick!"

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Judge Richardson possessed an eminently judicial mind. He was able to look down upon a case, as it were, from a serene height of impartiality, and to see all its sides with noonday clearness. Whatever might have been his first inclinations, his deliberate judgment was formed on full consideration of the whole case from every point of view. His perfect integrity and singleness of purpose were never brought in question. The judicial ermine received no stain from his wearing it. He knew no friends and no enemies while in the seat of judgment, nor any of the ordinary lines of divisions among men. His ideal was the very highest.

Untiring industry was one of his chief characteristics. That there have been men who, by the force of extraordinary intrinsic powers, have attained the highest judicial rank without giving their days and nights to the study of the law cannot perhaps be gainsaid; but they are the exceptions. The giants of the law have usually been the gigantic workers. The best judgments have smelled of the lamp. Where one great lawyer has been able to dispense with close study, a hundred have made themselves great by giving nearly double the traditional number of hours to intense application. Judge Richardson's native capacity was excelled by that of few men, but he supplemented it by the utmost industry over the works of the sages of the law. He believed in general cultivation, too, as an adjunct to legal study. He pushed his researches into almost every department of learning. He kept up his knowledge of the classics, and read the best Italian, French, and Spanish authors in their original tongues. He acquired a thorough knowledge of botany, and more or less familiarity with every branch of natural science. In addition to the performance of his strictly official labors, he found time to take part as chairman of a commission to revise the laws of the State in 1826; to superintend the publication of a large part of the cases included in the early volumes of the judicial Reports; and to prepare three manuals for the guidance respectively of Justices of the Peace, Sheriffs, and Town Officers, and containing the necessary statutes, forms, and directions for each. He was also the author of occasional poems, which were characterized by much delicacy of feeling and expression, and breathed the spirit of true poesy. Dartmouth College, in token of appreciation of his learning and literary accomplishments, bestowed upon him the degree of LL. D. in 1827.

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The private life of Judge Richardson was exemplary. He removed in 1819 from Portsmouth to Chester, where he passed the residue of his life. Before the days of railroads, Chester, like not a few other country places, was the residence of a good number of families of education and refinement. Here Judge Richardson found congenial society, and here his public spirit and social graces were exhibited to appreciative friends. Every movement for the benefit of the inhabitants of the town found in him a ready supporter. He was not only interested in the church and the schoolhouse, the two corner-stones of New England civilization, but he exerted himself to support the other voluntary aids to instruction and rational amusement. He lectured before the Lyceum, and was the chief founder of the Athenæum of the town. At his home he solaced himself in his hours of relaxation with music, in which he delighted and was no mean proficient, and diversified his labors by work in his garden, on which he justly prided himself.

He was fond of society, though the time he gave to study did not allow him much leisure for formal company. But all classes of his townsmen found a ready welcome at his house. There were among them some privileged characters, in those days, with whose blunt Scotch-Irish humor the Judge was entertained. One of these, an inveterate cider-toper, used to call at the Judge's house not unfrequently, to beg a mug of his favorite beverage. This was never refused him so long as he was sober. But one day, when he came with his usual request, he had evidently had more than his full allowance already, and the Judge refused to give him more. "Well," said the disappointed tippler, "I 've heard of the unjust judge, who neither feared God nor regarded man, and I think I know him pretty well, too." The retort tickled the Judge, but did not procure the coveted boon.

Besides deriving great enjoyment from the drollery and humor of others, Judge Richardson was himself a wit. All who knew him agree that no one, of his time, said brighter or keener things than he. But such good sayings depend so much upon the circumstances which call them forth, and are of so evanescent a character, that they suffer in the attempt to repeat them.

One *mot*, being professional, perhaps should not be withheld. The Judge, while going his circuit in his open carriage, drove, in the midst of a storm of sleet, up to the hotel where several mem-

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bers of the bar had already established themselves. "Well, Judge," said one of them, "you 've had to face it." "Yes," replied the Judge, "and I 'd rather '*facit per alium*' than '*facit per se.*' "

Judge Richardson married, in 1798, Betsy, daughter of Peter Smith of Pelham, and had seven children. Two of his daughters married members of the New Hampshire bar: Elizabeth, who was the wife of Benjamin B. French, and Anne, the wife of Henry F. French. No descendants bearing the family name, it is believed, now survive.

CALEB ELLIS.

J. 1813–1816.

Born, Walpole, Massachusetts, 1767; Harvard College, 1793; practiced, Newport and Claremont; died, Claremont, May 9, 1816.

Mr. Ellis's legal studies were carried on under the direction of John Davis of Plymouth, Massachusetts, and he commenced practice in Newport about 1796. He could have remained there but a short time, for he settled in Claremont probably before 1800, and is said to have tarried at Cornish awhile, between the two places.

He was somewhat mature in years when he began his professional career, and was thoroughly well prepared for it by study and cultivation. Without any personal desire for appearing in public, he was soon brought forward by the suffrages of the people for official positions, and was chosen representative in the legislature in 1803; member of Congress for two years in 1804; councilor in 1809 and 1810; state senator in 1811; presidential elector in 1812. In 1813 he was appointed with the approval of all parties a Justice of the Supreme Court, an honor which he had declined three years previously.

His term of judicial service, cut short by his premature death, served only to confirm the favorable impressions which led to his appointment. He was in truth a model judge. His able associate in the court, Hon. Jeremiah Smith, pronounced a sketch of his character before the grand jury, soon after his decease, in which were admirably set forth his peculiar qualifications for the judicial functions.

He was modest and unassuming. His prominence was not the

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result of ambition or self-seeking, but was the reward of merit that could not be concealed. He was moderate, prudent, and conscientious. Those who differed from him in opinion could not but admit his candor and honesty. He never allowed himself to be carried away by stress of feeling; all his conduct was governed by well-founded principle. Quick to perceive and apprehend, he was none the less ready to inquire and thoroughly investigate questions that came before him, and he had none of the pride of opinion which would hinder him from abandoning his first impressions, when the weight of authority was against them. He studied the law as a science, and his reasoning powers were of the first order. The only criticism made upon his intellectual methods was that he was perhaps sometimes too refined and subtle in his distinctions to be easily comprehended by a jury.

As a judge he was impartial and independent. He was far above being influenced by the positions or opinions of parties, or by any other considerations than those which properly entered into the subjects of judicial inquiry. Neither fear nor favor affected his official conduct by a feather's weight. Having carefully determined what was right, he was firm and decided in adhering to it. Nor did he render a disagreeable thing doubly disagreeable by an ungracious manner. He was always pleasant and courteous, and gave willing ear to all reasonable solicitations. *Suaviter in modo, fortiter in re*, was practically his rule of conduct.

With so many desirable qualifications for the judicial station, it was hoped by all that he might long continue to administer it; but it was not so to be. His constitution was slender, his health soon began to fail, and after only three years of useful and honorable duty upon the bench, his temporal life was brought to a close. Few men have combined in an equal degree mental and moral qualities of such acknowledged superiority, and personal characteristics so engaging and attractive. His death was the cause of widespread mourning, public and private.

He married Nancy, daughter of Colonel Robert Means of Amherst, February 4, 1816. They had no children.

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SAMUEL BELL, LL. D.

J. 1816–1819.

Son of Hon. John and Mary Ann (Gilmore) Bell ; born, Londonderry, February 9, 1770 ; Dartmouth College, 1793 ; admitted, 1796 ; practiced, Francestown, Amherst, and Chester ; died, Chester, December 23, 1850.

A descendant of one of the early "Scotch-Irish" settlers of Londonderry, Mr. Bell was brought up on his father's farm, and until the age of eighteen received no instruction beyond the meagre routine of the common schools. In April, 1788, having a strong desire to obtain a collegiate education, he began the study of Latin, and afterwards became a pupil of the distinguished John Hubbard, at the academy in New Ipswich. In the winter of 1790 he taught a school in his native town, and the next year was admitted to the sophomore class of Dartmouth College.

Immediately after taking his degree he was received as a student in the office of Samuel Dana of Amherst, and on the conclusion of his required term of three years, was admitted an attorney, and commenced practice in Francestown. From that place he was sent representative to the legislature in 1804, and the two years succeeding, in both of which he was elected to the Speaker's chair. In 1807 he was tendered the attorney-generalship of the State, but declined it. In 1807 and 1808 he was chosen to the State Senate, and was honored both years with the presidency of that body. In 1813 he served as a member of the Executive Council. He had transferred his residence in 1806 from Francestown to Amherst, and about 1811 he removed from Amherst to Chester. At that time his health had seriously declined, so that he was disqualified for business, and fears were entertained that he might never recover. By the advice of friends he determined to try the effect of an extended trip on horseback, though so weak that at first he could travel but few miles daily. His strength improved by this exercise, and he passed much of two seasons in journeying in Ohio, which was the "far West" of that day.

With the restoration of his health he resumed professional work, in Chester. He was commissioned a Justice of the Superior Court in 1816, and performed his judicial duties three years. In 1819 he was chosen governor of the State, and rechosen the three

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years following, receiving at his last election nearly twenty-three thousand votes, to little more than one thousand cast for all others. As soon as his gubernatorial term ended in 1823, he was elected a senator of the United States for six years, upon the expiration of which he was reëlected. His twelve years' service in the Senate closed in 1835, and he then retired from political and professional pursuits.

The retention during a period of nearly thirty years in such responsible positions in public life, of one who was no popularity seeker and no political manager, implies that he must by the exhibition of uncommon ability, and attention to duty, have made good his claim to the confidence of the public. Mr. Bell's mental powers were of a high order, carefully cultivated and thoroughly disciplined. He was a sound, though not a showy lawyer, prudent in counsel, strong in contention. He made no pretension to eloquence, and rather lacked fluency of speech, but he compensated for it by the vigor and force of his reasoning and his expression.

His manner on the bench is described as courteous but decided. He was of a dignified presence. Though accessible to all, he unbent to few. His rulings were made with deliberation, and were seldom withdrawn, in which respect he differed from Chief Justice Richardson. If a persistent counsel ventured to press for a reopening of a question already passed upon, "that point is decided," was his mild answer, and it was then well understood that nothing more was to be said. Jeremiah Mason stated, when it was proposed to make Judge Bell governor of the State, that the Superior Court would thereby "lose its backbone." John M. Shirley, who made a careful study of the characteristics of the gentlemen connected with the Dartmouth College Cases, described him as "a man of immense erudition and great business capacity, a thorough lawyer, and possessed of great moral courage." His published judicial opinions in the early volumes of the state Reports bear testimony to his habits of thorough and careful research, his complete understanding of the rules and reasons of the law, and his clear, logical habits of investigation and statement.

His political fortunes were never advanced by display, artifice, or intrigue. His fellow-citizens put him forward because they had faith that he would represent them fairly and honestly. He

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made few speeches, but they had the root of the matter in them. He was conscientiously attentive to the public business, and left a record in the highest degree creditable. He kept in touch with the best sentiment of his section. When Daniel Webster went into the national capitol the morning after hearing the arraignment of his political principles by Robert Y. Hayne, he called Mr. Bell into consultation, gave him an outline of the reply he was proposing to make, and asked him if that fairly represented the views of their constituents at the North. Upon Mr. Bell's assuring him that it did, "Then," said the great expounder, "the country shall know my views of the Constitution, before this day is over!" So great was the confidence of the champion of New England in the standing and understanding of the New Hampshire senator.

After retiring from the Senate he spent the remainder of his life at his home on a sightly hill in Chester, interesting himself in the affairs of the day, and in the up-bringing of his younger children, and enjoying the respect and honor of his townsmen and of all who knew him.

The degree of LL. D. was awarded him by Bowdoin College in 1821.

His first marriage, November 26, 1797, was with Mehitable Bowen, daughter of Hon. Samuel Dana of Amherst; his second with Lucy, daughter of Jonathan Smith of Amherst, July 4, 1828. Of his five children by the former marriage, two, Samuel D. and James, entered the legal profession; and of his four by the later, two, George and Louis, did likewise.

LEVI WOODBURY, LL. D.

J. 1816–1823.

Son of Hon. Peter and Mary (Woodbury) Woodbury; born, Francestown, December 22, 1789; Dartmouth College, 1809; admitted, 1812; practiced. Francestown and Portsmouth; died, Portsmouth, September 4, 1851.

Mr. Woodbury obtained the chief part of his preparation for college at the Atkinson Academy under the preceptorship of John Vose, and at Dartmouth was distinguished for his scholarship. He studied the law with Jeremiah Smith at Exeter, Samuel Dana of Boston, Massachusetts, and at the Litchfield Law School, Connecticut, and began practice with high promise in his

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native town in 1812. In 1816 he was chosen clerk of the New Hampshire Senate. This brought him before the eye of Governor Plumer, a fellow-boarder, at the capital, who was then engaged in the rather difficult operation of selecting a new set of judges. The Governor saw that he was industrious and ambitious, with such intellectual qualities as would insure his success on the bench, and surprised most people who did not know the young lawyer by giving him an associate justiceship of the Superior Court. He was the youngest man who had ever been designated for the place, and was called the "baby judge," but he soon proved that the Governor's prognostications were not erroneous. If he lacked anything of experience or knowledge, he made haste to compensate for it by all that assiduity and labor could accomplish. It was said that he could and did work sixteen hours a day when occasion required it, and this, by the way, not only while he was young, and eager to justify his appointment, but even to the later years of his life.

In 1819 Judge Woodbury changed his residence to Portsmouth. He served as Judge about six years with great acceptance. His former associate, Samuel Bell, was so well convinced of his judicial talents that he predicted at that early day that Judge Woodbury would in due time be raised to the bench of the Supreme Court of the United States. In 1823 the elders of the party with which he was connected designated in the usual manner a candidate for the office of governor of the State; but the "young America" wing of the party repudiated the selection and made Woodbury their nominee. With the aid of some of the other party he was elected governor. He served a year, and then resumed the practice of the law. The next year, 1825, he was a representative from Portsmouth, and though he had had no previous legislative experience, was chosen Speaker of the House, and also senator of the United States for six years.

In 1831 he was made Secretary of the Navy, and acted as such three years, and till he was appointed Secretary of the Treasury. In that office he served about seven years, within which period he was again sought for as Chief Justice of New Hampshire, but declined the appointment. In 1841 the legislature for the second time chose him United States senator. He remained in the upper house of Congress till 1845, when, after declining the embassy to the Court of St. James, which was tendered him, he

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was appointed an associate Justice of the Supreme Court of the United States. The duties of that distinguished position he continued to perform with characteristic punctuality and ability, until his career was terminated by his death, at the age of sixty-one.

In each of the important stations to which he was summoned Judge Woodbury exhibited the same sense of responsibility, resolute attention to duty, and unflagging industry. He was endowed by nature with a ready apprehension, vigorous mental grasp, and ambition to succeed. His physical powers were on a scale commensurate with his intellectual, and he was capable of enduring the strain of long-continued application to study, without inconvenience. Whatever the problem before him, political or juridical, he grappled with it unhesitatingly, and was very sure to solve it to his satisfaction before he quitted it.

Neither at the bar nor in the Senate was he a brilliant orator, but he had the qualities without which brilliancy is least effective. He never rose without a full understanding of his subject. All the aid which careful study and mature reflection could afford, he brought to the consideration of every question. His facts and his arguments he marshaled logically and systematically. His speeches were no mere *tours de force*, but full, complete, and exhaustive. The most important of them are preserved in the three volumes of his writings which were published after his decease.

The mental characteristics of Judge Woodbury fitted him peculiarly to administer the law. His calmness and poise, never stirred by feeling or bias; his even-tempered patience and desire to do exact justice; his thoroughness, and determination to go to the bottom of the case before him, — these were qualities not only to make him a model judge, but also, which is perhaps next in importance, to be recognized as such by the community, and gave him his firm hold upon their confidence. Of course his familiarity with the learning of the law was by reason of his position known to the country, as well by the laity as by the profession.

For some time before his decease the eyes of his friends and party had been turning towards him as their probable candidate for the loftiest office in the gift of the people of the Republic, and there seems little question that, had his life been prolonged, he would have succeeded to that high honor. But he had accomplished enough to prove the great powers that were in him, in administering with such distinction the important legislative, executive, and judicial functions that devolved upon him.

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His *alma mater* gave him the honorary degree of Doctor of Laws in 1823, as did Wesleyan University twenty years later.

He was united in marriage, in June, 1819, to Elizabeth W., daughter of Asa Clapp of Portland, Maine, and was the father of two daughters and one son, Charles Levi Woodbury of Boston, Massachusetts, lawyer and ex-judge.

SAMUEL GREEN.

J. 1819–1840.

Son of Nathaniel Green; born, Concord, March 7, 1770; admitted, 1793; practiced, Concord; died, Washington, District of Columbia, March 22, 1851.

This was one of four brothers who embraced the legal profession, and the most successful of them in attaining high position. He was prepared at Phillips Academy, Andover, Massachusetts, to enter college a year in advance. But though he lacked the advantage of a completed liberal education, his earnestness in study and self-improvement went far to compensate for the want of it. In the midst of temptations to which too many of his companions yielded, he preserved habits of sobriety and correctness of life. His brother, Peter Green of Concord, and Jonathan Rawson of Dover directed his legal reading, and he became an attorney in Concord in 1793.

He was a representative in the legislature in 1806, and the two years succeeding. For the next ten years he was quietly building up a local reputation, and in June, 1819, on the resignation of Samuel Bell, he was made his successor as a Judge of the Superior Court. For this he was largely indebted to the opinion of his townsmen, no doubt, of his fitness for the post, as he had not then any very extended reputation as a lawyer, so far as appears.

He changed his residence from Concord to Hopkinton in 1832. Twenty-one years he remained a Judge, devoting his time and powers conscientiously to his work. He was a highly respectable, though not an eminent magistrate. His disposition was amiable and equable, and his conduct towards suitors and counsel was unexceptionable. Upright and just, he was never suspected of wrong doing or intention. A good lawyer, of sound judgment and useful though not shining talents, ready for work and determined to do his best, he administered the law to the general

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satisfaction. In 1840 he reached the age of seventy years, which severed his connection with the bench.

In 1834 Judge Green became a widower for the second time, and as the emoluments of his office could not have enabled him to make much provision for the future, he was probably not sorry to accept a clerkship at the national capital, for his ultimate support. In that quiet situation he passed the last ten years of his life, contentedly and cheerfully.

His first wife was Mary G. Coffin, who died in 1806. In August, 1810, he married Mrs. Ann N. Wardrobe. By his first marriage he had a son and two daughters; by his second a son.

JOHN HARRIS.

J. 1823–1833.

Son of Deacon Richard and Lydia (Atherton) Harris; born, Harvard, Massachusetts, October 13, 1769; Harvard College, 1791; admitted, 1794; practiced, Hopkinton; died there, April 23, 1845.

Upon his graduation from college Mr. Harris began his legal studies under Simeon Strong, of Amherst, and completed them under Timothy Bigelow of Groton, Massachusetts. Near the close of 1794 he fixed his residence in Hopkinton, which then and for years afterwards was about equal in population and importance to Concord. He was postmaster of the town from 1810 to 1825, and Judge of Probate for the county of Hillsborough from 1812 till the organization of the county of Merrimac in 1823. In 1816 a commission as Justice of the Superior Court was tendered him, but he declined it. In 1817 he accepted the appointment of county solicitor, and acted under it for six years. In 1823 he was transferred to the bench of the Superior Court, and sat there till 1833, when he was removed from it by the Executive on a legislative address, but was at once replaced in the post of Judge of Probate (for the county of Merrimac), and there served until he reached the constitutional limit of seventy years of age.

These various important public trusts, which covered so large a portion of his active life, are evidence of his ability and integrity. They were bestowed by party opponents, and upon one who apparently never possessed the least of those arts by which popular favor is won. Judge Harris had angered the majority of his

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townsmen by injudicious comparisons between his own church and those which they attended; and still more deeply when as chairman of a legislative committee to locate the state capital, he gave the casting vote in favor of Concord, and against his own town of Hopkinton. But there is little doubt that in this he was actuated by the highest desire of promoting the public welfare.

He was a well read and balanced lawyer, and a man of good, but not great capacity. He had no facility as an advocate. He appeared to the best advantage when presiding in the Court of Probate. There his services were appreciated and valuable. As a Judge of the Superior Court he lacked confidence in himself, and as a natural consequence he failed to inspire confidence in others. His removal was a harsh proceeding, but was greatly mollified by his immediate appointment to another position of responsibility better suited to his inclination and his powers.

Judge Harris was named, December 23, 1820, with Charles H. Atherton, his register, to revise the probate laws of the State, a work which they performed so successfully that comparatively little change has been found necessary to be made in them since that time.

He was a good farmer, a devoted adherent of the Episcopal Church, and an active and zealous member and officer of the Masonic fraternity. He appears to have been somewhat tenacious of the social distinctions of his time, and was of a rather reserved disposition.

His wife, to whom he was united in 1799, was Mary, daughter of Eliphalet Poor of Hampstead. They had four children, a son and three daughters, but no lineal descendant of Judge Harris now survives.

JOEL PARKER, LL. D.

J. 1833–1838. C. J. 1838–1848.

Son of Hon. Abel and Edith (Jewett) Parker; born, Jeffrey, January 25, 1795; Dartmouth College, 1811; admitted, 1817; practiced, Keene; died, Cambridge, Massachusetts, August 17, 1875.

The father of Joel Parker paid a comrade for the privilege of himself taking part in the battle of Bunker Hill, and was badly wounded there; and his obstinate courage, though exhibited in a different field of contention, has been by some thought to be discernible in his son.

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Joel Parker, after fitting at the academy in Groton, Massachusetts, entered the sophomore class at Dartmouth College, and was graduated at the age of less than seventeen. He studied law with his brother Edmund at Amherst, and "held himself out" as a lawyer in Keene at twenty-one. He was not a man to push himself into practice, in Stryver fashion, and by 1821 decided to make a trip to the West, with the idea of establishing himself there. He went to Columbus, Ohio, and was there admitted to the bar in 1822, but soon after reconsidered the matter and returned to Keene.

His talents and industry and learning in due time became known and appreciated, and were rewarded by an ample employment. James Wilson, Jr., though several years his junior, was for a while one of his chief competitors at the bar. Their talents and methods differed in toto. Wilson was ready, dashing, eloquent, seizing the strong points of his case, and handling them in the most adroit and taking manner, while Parker was studious, careful, elaborate in preparation, logical in argument, but apt to be dry and uninteresting. Of attempting to suit the prejudices of the jury he never dreamed. The two lawyers once attended a two weeks' term at Newport, riding together on horseback, as was the fashion of the time. There they were opposed to each other in nearly every cause that was tried, and Wilson won all the verdicts. At the close of the term they set out together on their return. Parker was silent until they were about reaching the halfway house, where they were to dine, and then said abruptly, "Wilson, I 'm going home to sell out, and go to sea before the mast!" "I know what you mean," replied Wilson. "I 've always told you there was no use putting nice points of law to the jury." "My clients," returned Parker, a little touched, "are satisfied with the way I try their causes." "So are mine," rejoined Wilson, "so long as I get verdicts for them." But Joel Parker was not the man permanently to admit defeat.

He was elected a representative in the legislature in 1824, 1825, and 1826. He is also said to have been the author of the act for remodeling the courts of the State, adopted in 1832, after full consideration and discussion, with the approval of Chief Justice Richardson. This act, besides providing for other beneficial changes in the judiciary system, gave very full chancery powers to the Superior Court.

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In January, 1833, Mr. Parker was placed upon the bench of that court, where he continued to sit as associate, and afterwards Chief Justice, for upwards of fifteen years. He was admittedly one of the most able and learned of a sequence of jurists rarely equaled in the annals of any State. The opinions which he delivered were very numerous, indicating his familiarity as well with the authorities as with the principles and reasoning of the law. One or two of them are particularly entitled to notice. The early familiar case of *Britton* v. *Turner*, in the 6th volume of our Reports, was a distinct advance in an equitable point of view over the prior decisions. If the doctrine of that case originated with Judge Parker, he merits the highest commendation for subordinating his reverence for the *antiquas vias* to the claims of a shorter and more direct road to exact justice.

But the great struggle, and ultimate triumph, of his judicial career was occasioned by a difference of opinion between Justice Joseph Story of the United States Supreme Court and himself, arising out of the construction of a clause in the national Bankrupt Act of 1841. It was adjudged by the former that a *bonâ fide* attachment of the property of a bankrupt on mesne process from a state court, prior to the filing of the petition, would not take the property out of the operation of the Act, or constitute a defense against the claim of the assignee, and that the U. S. District Court could by summary process follow such property (and the avails thereof in case of a subsequent sale or levy under authority of the state court) in the hands of parties or officers, and compel the same to be surrendered to the assignee.

From this view Judge Parker utterly dissented, and in the cases of *Kittredge* v. *Warren* in the 14th, and *Kittredge* v. *Emerson* in the 15th volume of our Reports, enunciated his convictions of the validity of the lien created by attachment, of the powers of the state tribunals, and of their immunity from the jurisdiction of the inferior courts of the United States, in a manner which was as logical as it was satisfactory to the bar and the legislature of the State. The differences in question were authoritatively settled by the Supreme Court of the United States in *Peck* v. *Jenness*, 7 Howard, 612, in which the views of Judge Parker were completely sustained: that an attachment under the circumstances mentioned was a lien, and of equal operation with a lien at the common law, and that the District Court had no super-

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visory power over a state court. If it is the province of a good judge to amplify his jurisdiction, Judge Story, unless he has been maligned, was among the best. It was certainly a notable passage at arms between redoubtable legal champions; and neither in ratiocination, nor in the ultimate issue, was Judge Parker the loser in the contest.

Before this question was finally passed on, Judge Parker had left the bench, in June, 1848, and accepted the appointment of Royall professor in the Harvard Law School, having his residence thenceforth in Cambridge, Massachusetts. In this new situation his duties required him to deal with a wide range of legal subjects, and, especially at first, made heavy draughts upon his time. But his previous thorough habits of investigation, and his experience at the bar and on the bench, made his work erelong less oppressive, and he performed it with ease, and to the great advantage of the large body of educated young men who were his pupils. For twenty years he occupied his professorial chair, and then resigned it with the undiminished respect and esteem of all connected with the institution.

He did not restrict himself to the work of the Law School. In 1853 he was a delegate from Cambridge to the convention to revise the Constitution, and in 1855 he was a member of a commission to revise the Statutes of the Commonwealth; he was Professor of Medical Jurisprudence, and lecturer thereon in divers Medical Schools. In addition to this, he was frequently called upon for opinions upon important questions of law, and for some years at least to argue such questions in the courts of his native State. In the Massachusetts Historical Society he contributed valuable and learned papers, especially upon topics which came within the scope of his professional study. During the war of the Rebellion he published a number of pamphlets upon the constitutional and other questions arising therefrom, in which he took ground independent of party, but always patriotic. He had, as early as 1856, presided at a meeting in Cambridge after the assault on Charles Sumner in the Senate Chamber of the United States, in which, after referring to the violence of the South as threatening the constitutional safeguards of freedom, he uttered these remarkable words: "For myself personally, I am perhaps known to most of you as a peaceable citizen, devotedly attached to the Constitution, and much too far advanced in life for gasconade;

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but under present circumstances I may be pardoned for saying that some of my father's blood was shed on Bunker Hill at the commencement of our Revolution, and that there is a little more of the same sort left, if it should prove necessary, for the beginning of another!"

The seven years of life remaining to him after the resignation of his chair, Judge Parker spent in Cambridge, holding a non-resident legal professorship in Dartmouth College, in which institution he had always felt a warm interest, having served a number of years on its board of trustees, and having by his will given a considerable part of his fortune for the foundation of a department of law therein. From that college he received the honorary degree of LL. D. in 1837; as he did the same from Harvard College eleven years afterwards.

The impression which has been commonly formed of Judge Parker is that of a grave, austere man, whose interests in life reached little beyond his briefs and his law-books. But there was another side to his character, exhibited to a comparatively small circle. Though he married late, his great enjoyment was in his domestic life. He was especially fond of flowers, and in his earlier years, at least, cultivated them with assiduity. He enjoyed society, and unbent from his severer pursuits, gracefully. No man appreciated a bright thing more thoroughly than he. And it will surprise some who had seen but a single phase of the man, to learn that he has on occasion courted the muse. A lady friend of his, in the earlier part of his practice, addressed him some lines, entitled "A Vision," in which she described her high ideal of the lawyer's mission; to which Mr. Parker responded by the following: —

THE REALITY.

Oh! I am a lawyer and live in a den
Called an office, a snug and a quiet retreat;
It is sixteen feet one way, the other but ten,
And the temperature 's not far above "fever heat."
I watch there for clients; but that 's all a hum,
Like sprites from the "vasty deep" called, they don't come.

I have pen, paper, ink, and blank writs a good store,
Three chairs and a table, a day-book and docket;
Get five writs a term, a defense or two more,
Am *plus* in my idleness — *minus* in pocket.

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To persuade court and jury I argue all day
And convince them it 's right to decide — t' other way.

So much for the profit and pleasure. And now
The account as to honor pray let us be casting.
That there 's fame to be had, I most freely allow ;
People damn the profession to " fame everlasting,"
They 'll tell you a lawyer but seeks for the pelf,
And for that will out-Herod the D——l himself !

August 9, 1828.

Judge Parker was joined in marriage, January 29, 1848, to Mary Morse, daughter of Elijah Parker of Keene. He left no issue.

NATHANIEL GOOKIN UPHAM, LL. D.

J. 1833–1842.

Son of Hon. Nathaniel and Judith (Cogswell) Upham ; born, Deerfield, January 8, 1801 ; Dartmouth College, 1820 ; practiced, Bristol and Concord ; died, Concord, December 11, 1869.

Mr. Upham's childhood was passed in Rochester, to which town his father removed in 1802, and he received his later education at the Phillips Exeter Academy and Dartmouth College. He then entered the law office of his brother-in-law, David Barker, Jr., as a student, and on completing his preparation established himself in practice, first in Bristol, and in 1829 in the wider field of Concord. Four years after this, at the early age of thirty-two, he was appointed a Justice of the Superior Court. He remained ten years upon the bench, and it was to his business efficiency that he then owed his transfer to the position of superintendent of the Concord Railroad, for which he resigned the judgeship. Railway management, now a distinct and important profession, was then in its infancy, and had to be learned by experience. After a few years of practice as superintendent, Judge Upham made himself so essential to the Concord Railroad that he was chosen president of the corporation, and was altogether connected with it no less than twenty-three years, and up to 1866.

In 1850 he was chosen a delegate to the convention to revise the Constitution of the State, and was made chairman of the business committee of that body. In 1853 he was chosen by President Pierce as commissioner on the part of the United States to adjust numerous claims which had long been accumulating be-

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tween citizens of this country and Great Britain, and between citizens of Great Britain and the United States. In the performance of this duty Judge Upham proceeded to London, and met there the English commissioner, and together they succeeded in adjusting satisfactorily claims amounting in the whole to several millions of dollars, not a few of which were complex, difficult, and involved troublesome questions of international law. In 1862 he was chosen to perform a service of a similar character as umpire in a commission for the settlement of claims between this country and New Granada.

Judge Upham was originally a Jeffersonian Democrat in politics, but in 1861 he took a determined stand against the disunionists of the South, and wrote a letter defining and sustaining his position, which had a wide circulation, and was welcomed by the Union men of the North, among the most inflexible of whom he was ever after ranked. In 1865 and 1866 he was a representative in the legislature, and was active in promoting the adoption of the latest amendments to the national Constitution.

Judge Upham's practice at the bar was too brief to give him the opportunities to show his best and matured powers there, but his conduct as a judge was useful and highly creditable. His legal training was of the greatest value to the railroad corporation of which he was so long at the head, and in the service of his country in the commissions already mentioned.

He was a man of indefatigable industry, and conscientious in the performance of every duty. He belonged to a family noted for literary capacity, and was himself a great student, and an easy, versatile, and forcible writer. Several of his addresses — one delivered at the request of the state legislature, a eulogy on Lafayette; another on "Rebellion, Slavery, and Peace," delivered before the Lyceum in Concord; and a third before the N. H. Historical Society, of which he was the president, on the "Progress of Civil Liberty in New Hampshire" — were published, and were productions of sterling merit. He had prepared a compilation, embracing the best thoughts of authors ancient and modern, together with valuable maxims the fruit of his own reflections, which was regarded by competent judges as a work of great merit; but it has never been given to the public.

Judge Upham's private character was without blemish. He was religious and consistent, a man worthy of all trust and re-

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spect. He was always to be found among the foremost of those interested in promoting the interests, prosperity, and progress, physical, intellectual, and moral, of the city of his residence. His example and influence were ever for good.

He was united in marriage, October 28, 1829, with Betsey W., daughter of Nathaniel Lord of Kennebunkport, Maine. She left a son and a daughter, the latter the wife of Joseph B. Walker, Esq., of Concord. His second wife was Elizabeth W., daughter of Rev. Abraham Burnham of Pembroke, who survived her husband; their two children had died previously.

LEONARD WILCOX.

J. 1838–1840; 1848–1850.

Son of Jeduthun and Sarah (Fisk) Wilcox; born, Hanover, January 29, 1799; Dartmouth College, 1817; practiced, Orford; died there, June 18, 1850.

Mr. Wilcox's father removed, while Leonard was a child, to Orford, so that his boyhood was spent there. He was a lad of promise and forward in his studies, graduating from college at the age of eighteen, with high rank as a scholar. It is supposed that his father took the charge of his legal education, and he began practice in Orford, probably in 1820. In his professional career he did not disappoint the expectations which his friends had formed. He was diligent in study, exact in his knowledge, and had the judgment which enabled him wisely to apply the principles of the law to the facts of his cases. He possessed sagacity and practical common-sense, and unquestioned integrity, also. With such qualities he could not but command ample employment at the bar, though his modesty and diffidence in his own powers retarded his advancement. He did not excel as an advocate; he lacked fluency and power of voice; but in the preparation of causes for hearing, the marshaling of evidence, and the array of authorities he was invaluable. The court of revision knew his worth, and appreciated his opinions.

He held decided though not extreme political opinions, and was a representative in the legislature from Orford for seven years. So highly were his legislative abilities esteemed that in March, 1842, on the resignation by Franklin Pierce of his seat in the Senate of the United States, Governor Hubbard appointed Judge Wilcox to the vacancy; and upon the meeting of the legislature

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in the succeeding June, he was elected to fill out the unexpired term, which ended in March, 1843.

Before this, on June 25, 1838, he had received the appointment of Justice of the Superior Court, but by reason of illness had resigned the office, September 29, 1840. His health having been reëstablished he was again placed upon the bench, first as Circuit Justice of the Court of Common Pleas, in December, 1847, and afterwards as Judge of the Superior Court, June 26, 1848. He died in the latter office, when he had scarcely reached the confine of age.

His mind was eminently judicial. The entire absence of passion or prejudice, the conscientious desire to decide justly, the careful examination and wide learning of Judge Wilcox combined to give his opinions great weight. He was courteous in his treatment of the gentlemen of the bar, patient in hearing and deliberate in deciding, and had the warm friendship and esteem of his associates on the bench, and the respect of the community.

It was a pleasant trait of his character, referred to in the address of William H. Duncan on the presentation of the resolutions of the bar upon the death of Judge Wilcox, that he was always ready to help and counsel and encourage his juniors of the profession. His last illness was painful, and his death unexpected, but he was not unprepared, having the strength and consolation of firm religious convictions.

Judge Wilcox was married, first, to Almira, daughter of Samuel Morey, September 12, 1819; and after her death to Mary, daughter of Nathaniel Mann, October 10, 1833. He had children by both marriages. His three sons were graduates of Dartmouth College, and lawyers. The eldest, Samuel M. Wilcox, practiced for some years in this State.

JOHN JAMES GILCHRIST, LL. D.

J. 1840–1849. C. J. 1849–1855.

Son of Captain James and Susanna (Wyman) Gilchrist; born, Medford, Massachusetts, February 16, 1809; Harvard College, 1828; admitted, 1831; practiced, Charlestown; died, Washington, District of Columbia, April 29, 1858.

On the paternal side Judge Gilchrist was of Scottish descent. His father was a shipmaster, who, having acquired a competence,

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retired, while his son was yet young, to spend the evening of life on a farm which he purchased in Charlestown. There the future judge received his early education, much of it under the instruction of the Rev. Dr. Crosby, the village clergyman. In college young Gilchrist won many friends by his sterling qualities, and without being over-ambitious to excel, maintained a good rank, especially in certain studies congenial to his tastes, and was noted as a great reader.

He commenced the study of the law with the eccentric William Briggs of Charlestown, and then passed into the Harvard Law School, and there gained a comprehensive view of the field of jurisprudence. As soon as he was admitted to the bar he became a partner of Henry Hubbard of Charlestown, and so was introduced immediately into an extensive practice. He did not fail to avail himself of the opportunity to become familiar with the various legal and business requirements of a large country office, and his professional progress was rapid. Though he probably never had any special political aspirations, he was chosen in 1836 and 1837 a representative in the legislature of the State ; and in 1838 he received the useful if not conspicuous appointment of register of Probate.[1]

In 1840, after a legal experience of only nine years, he was honored with the commission of associate Justice of the Superior Court. As he could not have been generally known throughout the State, his appointment must have occasioned surprise, but those who had watched his progress felt confident that he had in him the making of a first-rate judge. He resolved from the start to make the judgeship his life work, and entered upon all needful preparations therefor. He provided himself with an ample law library, and made the best use of it. The decisions of the highest court of New Hampshire were indexed only in the twelve vol-

[1] He also acted awhile as county solicitor, and from that experience, perhaps, derived his belief that criminal laws were made in order to be put in force, and not to be set aside by a weak sympathy. At a term of the court in Rockingham, which Judge Gilchrist afterwards held, three men were convicted of state prison offenses. Two of them went into court for sentence before the other, who perhaps flattered himself that the Judge was a soft-hearted weakling. If so, however, he was speedily disillusioned, for on the return of his companions he inquired what was their sentence. "Five years each" (the extent of the law), was the answer. "Five years," returned he, in an injured tone. "Well, that Gilchryst *is* a sonker!"

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umes of Reports then published; Judge Gilchrist within a few years served himself and the profession alike, by classifying them in the excellent "Digest" which bears his name.

His natural fitness and his acquired qualifications for his new position, together with his fixed purpose to succeed, made him in no long time a popular judge with his associates and the public. He made an especially favorable impression when sitting at Nisi Prius. His manner on the bench was such as to conciliate the good-will of all, and to inspire confidence. His temper was mild, and he never permitted it to be ruffled. If any heat was generated by the friction of a trial, it never reached the bench. He treated the members of the bar with politeness and attention. No one of them went away sorrowful from the conviction that his case had not had a fair consideration by the judge.

Although Judge Gilchrist probably never ranked with the great masters of legal lore in the extent of his acquirements, he was yet well versed in the learning of his profession, and contributed well to maintain the standing which the courts of the State had acquired under such eminent jurists as Smith and Richardson and Parker. And when in 1848 the latter resigned the office of Chief Justice, Judge Gilchrist was with the general approval made his successor.

The incidents in the life of a judicial officer in full work are not of a character to give general interest to his biography, and there is little more to tell of Judge Gilchrist's connection with the New Hampshire court except that he devoted himself after his elevation with equal if not increased diligence to the little-varying round of his duties. In 1855 the Congress of the United States created a new tribunal, the Court of Claims. President Pierce, who well knew the peculiar qualities of Judge Gilchrist, at once appointed him as the first Chief Justice of that court. The duties of the position, of course, required his removal to the national capital, and there were spent the remaining three years of his life. He possessed peculiarly the temperament and experience to fit him for inaugurating a new judicatory and setting it in successful operation, and it is believed that the satisfactory establishment and continuance of the Court of Claims was in no small measure due to the fortunate choice of its first presiding officer.

Besides his qualifications as a magistrate, he was fond of

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letters, with scholarly tastes and an extensive acquaintance with the literature of his own and foreign countries. His disposition was social and genial, and his sense of humor combined with it to make him a most agreeable and entertaining companion. In all his instincts and habits he was a thorough gentleman, urbane, hospitable, and high-minded.

He was the recipient of the degree of Doctor of Laws from two colleges, Dartmouth in 1852, and Harvard in 1856.

He was married, August 25, 1836, to Sarah Dean, daughter of Hon. Henry Hubbard of Charlestown. They had two children, a daughter and a son.

ANDREW SALTER WOODS, LL. D.

J. 1840–1855. C. J. 1855.

Son of Andrew and Isabella (Jameson) Woods ; born, Bath, June 2, 1803 ; Dartmouth College, 1825; admitted, 1828 ; practiced, Bath ; died there, June 20, 1863.

Judge Woods was of North-of-Ireland stock, his father having emigrated from the County of Antrim to this country ; and the son exhibited many of the traits of character which distinguish the Scotch-Irish. He was the first native of Bath to enter the legal profession. After graduating from college, he read law in the office of Ira Goodall of Bath, and when admitted, became his partner in practice. They remained in that connection twelve years, and acquired a business that in extent and emoluments could hardly have been exceeded in the State. The habit of doing business on credit that then prevailed, and the importance of prior attachments of property, led to a multitude of failures, and an infinity of suits. The office of Goodall and Woods was known far and wide, and was resorted to from a large circle of country. It is said that a light used to be kept in it through the night, that men in haste to secure their demands might be accommodated at all hours ; and that two thousand court writs were made in the office in a single year.

The junior partner became noted as not only a first-rate man of business, but as a careful, knowing lawyer, whose matured opinions it was safe to rely upon. It is not supposed that he was a great student ; certainly he had little time for that after his admission. But he was well grounded in the elements of the law ;

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he had the faculty of accurate discrimination and of careful deliberation; and he was rarely mistaken in his judgment. As a practitioner in court, he was thoroughly well prepared in the law and the facts. He made no show, but the balance of judgments was always in his favor. He was little pretentious as an advocate, but he knew exactly the strength of his case, and he put it in its most effective logical form. He had none of the little arts of coaxing verdicts out of the prejudices or ignorance of jurors. He treated "the twelve" like men of reason and sense, and no doubt found his account in it.

After twelve years of practice at the bar, he was in 1840 made an associate Justice of the Superior Court, with the general approbation of the profession. His conduct as a judge was in all particulars worthy of the position. He was even-tempered, patient, impartial, upright. It is within the knowledge of the writer that his bearing in a hearing at chambers impressed several gentlemen of high position from another State with singular admiration. Few of our judges have given more general satisfaction than he. He was strict in the execution of his duties, and he expected like fidelity from all others. Though he undoubtedly made pretty broad distinctions in his private estimates of men, he treated them all with strict fairness in his official dealings. When a new point was presented to him, his habit was to hear attentively the discussion of counsel upon it before making his decision, and his power of nice discrimination and of sound judgment usually enabled him to decide it aright. It was rare that verdicts found in his court were disturbed for faulty rulings or instructions of the judge.

When the office of Chief Justice was vacated in 1855 by the resignation of Judge Gilchrist to enter the Court of Claims, Judge Woods was advanced to the position, and filled it with ability and to the general acceptance. But with the change of political preponderance in the State, which took place later the same year, came the inevitable alteration of the courts, which legislated the new Chief Justice out of office. It is said to have been a blow to him, a sensitive and high-spirited man; but there is no reason to believe that it was aimed especially at him. The change would have been made, whoever of his party had been at the head of the court.

He returned to the bar and resumed his practice in Bath with

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success up to the time when the insidious disease which terminated his life incapacitated him for further labor.

Judge Woods valued property, and held firmly to the doctrine that the laborer is worthy of his hire; but he was a man of the strictest integrity and trustworthiness, and all knew and felt it. Others of our judges have had greater literary qualifications and more extensive acquaintance with the study of jurisprudence than he, but perhaps few, if any, of them understood better the spirit of the common law, or could make a truer application of its principles to the facts before him.

His college, in recognition of his eminence as a jurist, bestowed upon him the degree of Doctor of Laws in 1852.

Judge Woods was married, January 7, 1830, to Eliza, daughter of Hon. James Hutchins of Bath. They had three daughters and two sons, one of whom, Edward Woods, studied the profession of his father.

IRA ALLEN EASTMAN, LL. D.

J. 1849–1859.

Son of Captain Stephen and Hannah (Page) Eastman; born, Gilmanton, January 1, 1809; Dartmouth College, 1829; practiced, Gilmanton, Concord, and Manchester; died, Manchester, March 21, 1881.

Shortly after his graduation at the age of twenty, Mr. Eastman entered upon his course of law study with John Willard in Troy, New York, and in that place he made his début in 1832 as a practitioner. In 1834 he returned to his native town, and resided there the ensuing nineteen years. A large proportion of that time he was in public office. In 1835 he was chosen clerk of the state Senate; but as for some cause he did not appear, Asa Fowler was chosen in his stead. In 1836 he was a representative of Gilmanton in the General Court, and was reëlected the two years succeeding, in both of which he occupied the Speaker's chair. He was appointed register of Probate in 1839 and served four years, when he resigned, on being elected to the Congress of the United States. He was in Congress four years. In 1844 he was commissioned a Circuit Justice of the Court of Common Pleas, and after five years' experience in that capacity, was promoted to be a Justice of the Superior Court, the highest legal tribunal of the State. His judicial service was terminated by his resignation in 1859.

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Judge Eastman removed to Concord in 1853, and in 1858 to Manchester. After quitting the bench he established a partnership in the practice of the law with his son-in-law, David Cross of Manchester, and for some time kept an office in that city and in Concord. He continued in active business until about ten years before his decease. His residence was in Manchester during the latter portion of his life.

In 1863 he was the candidate of his party for the governorship of the State, and in 1866 for the United States senatorship, but in neither case was his party in the majority.

Judge Eastman's natural powers were good, though they could hardly be called brilliant, but they were thoroughly well trained and cultivated. He was an industrious and attentive student of the law, and prompt and trusty in accomplishing the business put into his hands. He had the advantage of a fine person, being considered, when he was Speaker of the House, the handsomest man in that body. His treatment of others was uniformly polite. He never betrayed by speech or look any annoyance or irritability. His evenness of disposition well adapted him to the struggles of the forum, where loss of temper puts the advocate to a disadvantage and often leads to the loss of a cause; and was of equal importance to him in the performance of his judicial functions, by enabling him to preserve that mental balance which is essential to ministers in the temple of justice. His industry and familiarity with legal principles are evidenced by the large number of well-considered opinions from his pen, which are found in the pages of the state Reports.

As a politician he was honorable and never failed to meet the just expectations of his party, and in all the relations of life his conduct was irreproachable. In 1858 he received the degree of LL. D. from Dartmouth College, and the following year he was chosen a trustee of the institution, and acted as such up to the time of his decease.

He married Jane, daughter of John N. Quackenbush of Albany, New York, who together with their daughter, the wife of Judge David Cross of Manchester, survived him.

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SAMUEL DANA BELL, LL. D.

J. 1849–1859. C. J. 1859–1864.

Son of Hon. Samuel and Mehitabel B. (Dana) Bell ; born, Francestown, October 9, 1798 ; Harvard College, 1816 ; admitted, 1819 ; practiced, Meredith, Chester, Exeter, Concord, and Manchester ; died, Manchester, July 31, 1868.

Mr. Bell, after taking his collegiate degree, lost no time in qualifying himself for the profession of his father and his maternal grandfather, Samuel Dana of Amherst, in the office of George Sullivan of Exeter. In 1819 he became an attorney, and went first for a few months to Meredith, but decided afterwards to establish himself in Chester. In 1823 he was commissioned solicitor for Rockingham County, and in 1825 and 1826 was chosen a representative in the legislature. In 1827 and the two succeeding years he was a commissioner for the revision of certain of the statutes of the State. In 1828 and 1829 he was clerk of the House of Representatives, and in 1828 was reappointed solicitor, but declined the office.

One of the last criminal actions which he prosecuted was against the robbers of the Exeter Bank, in 1828. The president of the bank was Judge Jeremiah Smith, who was so much pleased with the efficient and methodical style in which the government's case was conducted, that he invited Mr. Bell to take up his residence in Exeter, offering him the post of cashier of the bank, which it was supposed would not oblige him to give up his hold upon the law. The offer was accepted, and Mr. Bell made Exeter his home from early in 1829 to the latter part of 1836. But he found that his profession admitted of no divided allegiance, and removed to Concord to devote his entire time to it. Shortly after this it became evident that the powerfully supported manufacturing interests of Manchester would soon render that place a chief point of business in the State, and Mr. Bell, on being appointed the general attorney of the great corporation which controlled the land and water power there, removed his residence thither in 1839. He continued, in that place also, the general practice of his profession. His interest in the progress and development of Manchester was of the greatest use to the rapidly growing town. He foresaw the wants which an enlarged population and extended business would generate, and by his advice they

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were seasonably provided for. No citizen did more than he to implant in the town the germs of all that was needed to transform the factory village into a populous and influential city.

In 1840 the need of a thorough revision of the state statutes led to the appointment of three eminent lawyers to perform that service, viz., Joel Parker, Samuel D. Bell, and Charles J. Fox. The laborious official duties of Judge Parker devolved most of the work of the commission upon the other two members, and Mr. Bell has paid a high tribute to the diligence and capacity displayed by Mr. Fox therein. It is well known, however, that Mr. Bell was also untiring in his labors to forward and perfect the work. Their recommendations were in substance adopted in 1842, and constituted what was known as the "Revised Statutes." The changes in the old enactments were in some respects quite radical, many outgrown articles were lopped away, and new and needed provisions introduced. The phraseology of the entire body of the statutes was recast in a uniform style. No such thorough treatment had been given to the legislation of the State before; and it has served as a model for all subsequent revisions.[1]

Manchester adopted her city charter in 1846, and Mr. Bell was commissioned the first Judge of her Police Court, a post which he accepted, doubtless, to give it character, and to fix its operations upon a correct basis. Two years later he received the appointment of Circuit Judge of the Court of Common Pleas, and in 1849 that of associate Justice of the Superior Court. The latter position he continued to occupy during the next ten years, and in 1859 he was preferred to the office of Chief Justice, which he filled until his resignation in 1864. Though he declined all, even the most tempting and least burdensome retainers, thenceforth, he responded to the call of the State in 1865, which placed him at the head of another board of commissioners to revise the statutes. He attended to that duty with his accustomed promptitude and

[1] The changes introduced in the Revised Statutes led Mr. Bell to prepare a manual for justices of the peace and other officers, entitled the "Justice and Sheriff." It contained a great variety of forms and precedents, carefully framed, and pruned of much unnecessary verbiage, and was indispensable to the practicing lawyer. Several editions have been published, and the work is still in universal use.

Mr. Fox prepared a similar volume for the use of officers of towns. A second edition, called for after Mr. Fox's decease, was revised and improved by Mr. Bell.

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zeal, and the result of the labors of the commission appeared in 1867 under the title of the "General Statutes." This was the last of his public services.

Judge Bell had naturally extraordinary powers of mind and memory, and cultivated them assiduously his life through. He was a diligent student in college, at the bar, and on the bench. In the law he was not content with the mastery of our own system of jurisprudence alone, but made himself acquainted with the various codes of other times and countries. But his studies were by no means limited to the law. He acquired a vast store of knowledge of mechanics, of chemistry, and of the various branches of natural history. Many anecdotes are told of his readiness in the application of his learning to the needs of every-day life. The value of such acquisitions to a general lawyer, and to a judge upon the bench, is obviously incalculable.

Judge Bell's tastes led him to give much time to early history, and particularly to that of his own State. Few of our antiquaries, if any, had acquired so full, intimate, and exact a knowledge as he of the circumstances attending the discovery and first settlement of our coast, and of the character and conduct of the settlers and their successors in the early generations. His researches into the character of the courts and the administration of justice in New Hampshire were particularly thorough, pursued as they were principally by a perusal of the original records in the several counties. It was hoped that he would have prepared a judicial history of New Hampshire, and thus have preserved his invaluable collections for posterity; but his span of life was too short. He communicated, however, to our state publications valuable articles which were the fruits of his careful research,[1] and left many memoranda and excerpts from which much assistance has been derived for the present work.

Judge Bell was an early member of the State Historical Society, and a steady supporter of it throughout his life. Once, when its very continuance was threatened for want of means, he gave the society a new lease of life by taking upon himself the pecuniary burden. He was vice-president of the society four years, president two, and a member of the publishing committee through the issue of two volumes of collections. He prepared and delivered before the society two elaborate addresses, contain-

[1] *N. H. Repository*, i. 122; *N. H. Historical Collections*, viii. 305, etc.

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ing the essence of long study and reflection. He was also an associate and state vice-president for New Hampshire of the New England Historic Genealogical Society for a number of years, up to the date of his death.

Judge Bell owed his acknowledged preëminence not alone to his intellectual power and the fullness of his learning; these were backed by personal qualities and character that commanded confidence and respect. Senator William E. Chandler bears the following testimony to his worth: "This clear-headed, strong-minded, noble judge was most kind and considerate to all young lawyers. He took pains to soften to them all his adverse nisi prius decisions, and to expound to them the law as if giving a lecture for the instruction of students. He never abated a young lawyer's suit without giving him a better writ. As state reporter I had much intercourse with the Chief Justice, and I wish to place on record not only my own admiration and love for this kind and courteous instructor, but also my opinion that he was one of the purest and ablest of the judges who have graced the New Hampshire bench."

His treatment of others was uniformly kind and fair. To all his engagements he was punctuality itself. Though sometimes disappointed by others, he was no martinet, but could make due allowance for the infirmities of human nature. His conduct was always governed by the principles of justice and right, and his life was as blameless as it was filled with usefulness. A familiar and favorite line of his gives an index to the framework of his character: —

"Justum et tenacem propositi virum."

Judge Bell's marriage with Mary H., daughter of Newell Healey of Kensington, took place August 8, 1826. Of their six children three lived to adult age, John J. and Samuel N., who both became lawyers, and Mary, whose husband, John P. Newell, was of the same profession.

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IRA PERLEY, LL. D.

J. 1850–1852. C. J. 1855–1859; 1864–1869.

Son of Samuel and Phebe (Dresser) Perley; born, Boxford, Massachusetts, November 9, 1799; Dartmouth College, 1822; admitted, 1827; practiced, Hanover and Concord; died, Concord, February 26, 1874.

The death of Ira Perley's father, who was a farmer in moderate circumstances, left the son at the age of seven years under the care of his mother, a superior woman. She encouraged his taste for reading, and stimulated his ambition for a liberal education and a professional life. At sixteen he was sent to Bradford Academy, Massachusetts, to be instructed by the keen-witted Benjamin Greenleaf, who prophesied great things for his pupil, among other reasons because he never whistled!

He entered college at the top of his class, and always stayed there, and is said to have been one of the very few Dartmouth graduates who throughout their college course were perfect in deportment and scholarship. He found time to read a good deal, also. A year after his graduation he was complimented with the appointment of tutor, and filled the position two years. His pupils portrayed his character pretty justly in their college song: —

> "A giant in learning, a giant in mind,
> A lion in temper, both savage and kind."

He studied law with Benjamin J. Gilbert of Hanover, and with Daniel M. Christie of Dover, and established himself as a practitioner in Hanover, being also chosen the treasurer of the college. From Hanover he was twice sent as representative to the state legislature. As a young man he apparently had no little popularity among the members of the bar, and often contributed to their pleasure during the terms of the court by his interesting discourse about the great lights of the profession in England, with whose history and characteristics he was familiarly conversant, and by singing to them, — an accomplishment which, more 's the pity, has almost fallen into desuetude in our prosaic generation.

In the nine years that Mr. Perley practiced in Grafton County, he tested his mettle against some of the best men there and elsewhere, and proved himself to be a learned lawyer, a keen and skillful pleader, and an advocate of great force. In 1836 he

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removed to Concord, a wider field of practice, and went at once to the head of the profession, receiving engagements in the most important causes, and matched against the strongest practitioners in this and other States.

In 1850 he was appointed an associate Justice of the Superior Court, but gave up the office two years afterwards. When the courts were reorganized in 1855, he became the Chief Justice of the same (then Supreme Judicial) court, till his resignation in 1859. Again appointed Chief Justice in 1864, he served until he reached the age of seventy; thus occupying the seat of justice, in the aggregate, nearly twelve years.

The essential qualities of a great magistrate were happily combined in Judge Perley, — quickness and clearness of perception, a memory with the grip of a vise, a powerful, logical understanding, and a conscientious sense of justice. And to these he added immense learning, general and professional, and a thorough training, development, and mastery of his intellectual resources, as it were in a mental gymnasium. Naturally he was at his best while sitting *in banc*. The slow, inch-worm progress of the trial term was often irksome to one of his rapid mental constitution. He must have been continually annoyed by the dull fumbling of inferior men after points that were visible as the sun to him. Everything of an *ad captandum* nature was his aversion, and whatever savored of sharp practice was pretty sure to receive his castigation. He was easily roused to sympathy or to resentment, and was sometimes unpleasantly outspoken, though he never meant to be unjust, or to cherish hard feelings.

He handled questions of jurisprudence with the ease of a master. He had no need, in ordinary cases, to refer to books; his familiarity with principles gave him the key to most of the problems that came before him. He talked law, out of the abundance of his knowledge, in the consultation-room, often better than he wrote it out for the reporter. His printed decisions are models. In point of manner and matter, of style and substance, they have been pronounced unsurpassed in our judicial reports, and it may not be saying too much to add, in any judicial reports, at home or abroad. By the common consent of the profession, Judge Perley takes rank with the great jurists of the land, — the Marshalls, the Kents, and the Parsonses.

At the bar his characteristics were displayed no less markedly.

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He believed in the justice of his clients' cause; he would not enlist in it, otherwise. Once, when a sharper tried to retain him, after smoothing over his crooked conduct as well as he knew how to the Judge, the latter astounded him by answering: —

"I think you have acted like an infernal scoundrel, sir."

"Is there any charge for that opinion?"

"Yes, sir, five dollars."

But when he engaged in a cause, he put his whole soul into it, always in fair fighting, however. His addresses to the jury were pointed and forceful. They carried demonstration with them, and if he had occasion to administer a rebuke to meanness or dishonesty, it was with a veritable whip of scorpions.

It was as a scholar that he is entitled to admiration only second, if second, to that which he merits as a lawyer and judge. I fear that few of the "college-learned" professional men make any pretense of keeping up in after life their acquaintance with the studies which they pursued with much expenditure of time, and which so rapidly slip from the loosened hold. But Judge Perley suffered none of his acquisitions to be lost through disuse. He found time for everything. The rapidity of his mental work made his office hours short, and he had the more leisure for his garden and his library at home. Throughout life he maintained his familiarity with the ancient classics in the originals. He read Cicero and Horace much; and the French and Italian authors in their own tongues. Shakespeare, Milton, and the best English writers were familiar to him, and he kept up with all desirable contemporary literature with a scholar's interest.

He wrote not much for the press beyond his judicial opinions. A charge to the Grand Jury, a eulogy on Daniel Webster, and an address at the Dartmouth Centennial on the Relations of the College to the Law are all his productions of that class that have been published. He was not destitute of lighter accomplishments. He was fond of conversation, liked to hear a good story, and was noted for his own humorous sayings; as for example, when some member of the bar asked him to look at an absurd brief: "No," answered the Judge, "I am like the boy that had lived on woodchuck so long that it made him sick to see a hole."

He had a laconic style of pronouncing his judgment of men and their actions, that would cling to the memory like a bur.

A gentleman who had held high office in the republic, but was

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suspected of undue subservience to Southern influence, in 1861 made a Union speech, long after the effective moment had gone by. Some one asked Judge Perley what he thought of it. "Late; reluctant; unimportant," was his reply.

Judge Perley was exemplary in his private life, as a husband, father, friend, and neighbor. He was scrupulous in observing every civic obligation. His honesty and perfect uprightness were beyond the reach of question. He received his degree of Doctor of Laws from Dartmouth in 1852.

In June, 1840, he was united in marriage with Mary S., daughter of John Nelson of Haverhill. They had a son and two daughters.

GEORGE YEATON SAWYER.

J. 1855–1859.

Son of William and Mary (Yeaton) Sawyer; born, Wakefield, December 5, 1805; Bowdoin College, 1826; practiced, Meredith and Nashua; died, Nashua, June 15, 1882.

Judge Sawyer was among the ablest lawyers, advocates, and judges of the State. He inherited the manly independence, good judgment, and legal aptitude of his father, and joined with it a keener discrimination, more critical study, and great readiness and force of statement.

He laid the foundation of his classical education at Phillips Exeter Academy, studied law under his father, and settled in Meredith in 1830. After practicing there four years, he removed to his permanent home in Nashua, where he became the partner of his uncle, Aaron F. Sawyer. It was remarked of him that he never manifested any professional immaturity, but from the start took his place as a thoroughly equipped, ripe practitioner. For fifty years he was an active member of the bar, and then died with the harness on. He was employed in a large proportion of the important causes of his time and vicinity, and few men have had more to do with ascertaining and shaping the law of the State than himself. He was twice placed upon the judicial bench, first, as a Circuit Justice of the Court of Common Pleas, July 7, 1851, resigning the office September 15, 1854; and second, as a Justice of the Supreme Judicial Court, July 20, 1855. From this position, too, he withdrew, November 1, 1859, for the reason that

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his private practice was more lucrative and less exacting. As a judge he was dignified, learned, and able. While he had great respect for the traditions of the profession, he had no scruples against ransacking the grounds on which they were based. He did not shut his eyes to mischiefs simply because they had the glamour of age and the approval of past generations; nor was he afraid of novelty, when it commended itself to his understanding and sense of right. The general voice of the profession pronounced him a judge in every way worthy to uphold the credit of the State.

As early as 1839, and the two following years, he was elected to the state legislature, and again repeatedly in later life. In 1856 he was chairman of the committee on the Judiciary, and took the leading part in the debates. In 1875 he was named chairman of a special committee to consider the present system of taxation. His report was marked by his customary thoroughness and sound sense, although its conclusions would innovate upon the long-established system of the State too greatly to admit of any expectation that they will soon be adopted here.

In 1865 he was appointed commissioner with Samuel D. Bell and Asa Fowler to revise the laws of the State. The chief part of the work was performed, by reason of the sickness of Judge Bell, by Judges Sawyer and Fowler, and their report was adopted with very slight modifications by the legislature at the annual session of 1867, and was generally highly approved. The citizens of Nashua availed themselves of Judge Sawyer's learning and experience, by making him city solicitor in 1862 and the two following years, and again in 1873 and 1874. He was also appointed by the Court to perform the duties of county solicitor during the absence of that officer in the army.

Judge Sawyer was decided in his political views, though by no means an offensive partisan. In middle life he was a candidate of the Whig party for a seat in Congress, but, perhaps fortunately for his professional career, failed of his election by a few votes. President Pierce, who knew and highly esteemed Judge Sawyer, offered him the governorship of a Territory, it is said, but the latter declined it on the ground that his political sympathies were not with the administration.

As a lawyer Judge Sawyer stood in the highest rank. It happened repeatedly that when some new or difficult question arose

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in a trial in which he was not employed, the Court inquired of him as *amicus curiæ*, what was his understanding of the law in the case. He was often applied to by younger members of his profession for advice and help in their causes, and however much engrossed in his own business he might be, he cheerfully put everything aside and patiently listened to the recital of their difficulties, and gave them wise counsel. It is pleasant to be assured that he set a high value upon the estimation in which his younger brethren of the bar held him by reason of his kind professional intercourse with them. A few years before his death he said to a friend: "When I am gone I hope some one will say of me, 'He was always kind and considerate to the younger members of the profession!'" His wish was granted. His ready, gratuitous kindness to his juniors earned him the lasting love and gratitude of his professional brethren.

In the trial of causes he exhibited great skill and strength. He possessed too much dignity and self-respect to descend to any indirect methods. He confined himself to the law and the evidence, treated witnesses fairly and according to their deserts, and sought his verdict by clean arguments, and not by the arts of a pettifogger. His addresses to the jury were logical, strong, and convincing. He rarely attempted to appeal to the sympathies. The causes that he brought into court never lacked substantial merits. He felt the full responsibility of his position as an attorney. On one occasion he appeared for a prisoner under indictment for murder. The judge who presided at the arraignment was disposed, in the counsel's opinion, to push matters with undue haste. In a discussion which arose respecting the arrangements for the trial, the Court made some suggestion for the avowed purpose of "saving time." "Saving time, your Honor," responded Judge Sawyer in impressive tones, "does the Court realize that with this respondent the issue is for time or eternity!"

The single criticism which is remembered to have been passed upon Judge Sawyer's judicial qualifications is that he was sometimes discursive in his opinions and instructions to juries. In laying down general propositions he was perhaps sometimes led aside to explain the various exceptions and limitations, which, however important in a treatise, were liable to confuse and mislead a jury. But this, if a failing, was a trifling one. His readiness of resources and learning, his intellectual power, his profes-

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sional honor and zeal for the cause of right and justice, were never called in question.

Judge Sawyer was social and companionable among his chosen friends. Like his father, he was partial to a game of whist, and his tenacious memory, well stored with racy anecdotes, enabled him to contribute his full quota to the evening's entertainment. He was no perfect man, and had his share of human failings, but they were the failings which accompany a robust and generous nature. We may well bury them in oblivion, and remember, for our improvement, his excelling merits.

Judge Sawyer's wife was Emeline, daughter of Daniel Tucker of Meredith. They had one son, bearing his father's name, who was a member of the bar in Nashua.

ASA FOWLER.

J. 1855-1861.

Son of Benjamin and Mehitable (Ladd) Fowler; born, Pembroke, February 23, 1811; Dartmouth College, 1833; admitted, 1837; practiced, Concord; died, San Rafael, California, April 26, 1885.

Up to the age of fourteen young Fowler labored upon his father's farm, with only the educational advantages that the district school a part of each year yielded him. A serious fit of illness, which for a time incapacitated him for manual exertion, led to his being placed as a student in the Blanchard Academy in his native town, that he might qualify himself for a common-school teacher. But his ambition grew to the determination to gain a liberal education, and in sixty weeks' study after beginning Latin, he qualified himself to enter college with the sophomore class. It is said that he exhibited his characteristic diligence and punctuality while in college by never being absent or unprepared at any recitation.

After his graduation he was principal of the academy at Topsfield, Massachusetts, for a single term, and then commenced the study of the law, first with James Sullivan in Pembroke, and afterwards, in the spring of 1834, with Charles H. Peaslee of Concord. Mr. Peaslee had no liking for the drudgery of his office, and that fell naturally upon his student, whose capacity for hard work was unbounded. In 1837 Mr. Fowler opened an office in Concord, and after a year and a half became a partner of Frank-

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lin Pierce. During the six years and upwards that they were together, their practice was very extensive. Mr. Pierce's services were in wide request as an advocate, and Mr. Fowler attended to the business of the office, prepared causes for trial, and briefs upon questions of law. He acquitted himself well in oral argument, but had no liking for it. Subsequently he was senior partner of John Y. Mugridge and of William E. Chandler, each, for a short time.

Mr. Fowler's public service began with his election to the clerkship of the state Senate in 1835. He held the office until 1841. In 1845, 1847, 1848, 1871, and 1872, he was a representative in the legislature, and the last of those years Speaker. August 1, 1855, he was appointed a Justice of the Superior Court, and resigned after five and a half years' service. In 1861 he accepted the solicitorship of Merrimac County, and performed the duties till 1865, when he was selected as one of three commissioners to make a revision of the state laws. This duty, with the labors of printing and explanation which it entailed, occupied him two years or more. In 1861 he received the appointment of delegate to the Peace Congress at Washington, District of Columbia, the last and fruitless attempt on the part of the Northern States to avert the secession of the Southern. In addition to these burdens of a public nature, Judge Fowler was a member of the school committee and of the board of education of Concord above twenty years, was a director of the State Capital Bank, president of the First National Bank, and of the Manchester and Lawrence Railroad.

Perhaps the most marked characteristic of Judge Fowler was the immense amount of work he accomplished. He rose very early in the morning, and at the proper season of the year delved vigorously for an hour or two before breakfast in his garden. The rest of the day he was in his office, and always busy. If clients thronged him, he sent none away to wait for a more convenient hour, but attended to all comers simultaneously, if necessary. Some one observed of him, "He was the only man I ever knew who could do three things at once!" The amount of business that was transacted in his law office was enormous. And it was not only done, but well done. He was a capital lawyer, of excellent sense, and a thorough man of affairs. As a draughtsman he was unrivaled. His facility in that direction perhaps led to

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his being frequently called on to prepare bills for the action of the legislature. For years a very large proportion of the first drafts of proposed changes of the laws which were presented to the General Court were in his handwriting.

He had no ambition, as some lawyers have had, to be a judge. He preferred to have his business go at his own pace, which was more rapid than that of the court-room, though he did no little to "push things," there. And he undoubtedly succeeded in making the wheels of justice turn more rapidly. His judicial opinions were not treatises, but brief decisions of the bare points submitted, without *obiter dicta*.

His untiring devotion for upwards of forty years to professional pursuits had, as might be expected, an injurious influence upon his health, and he sought relief in foreign travel and in the relinquishment of all business, except the care of the handsome accumulations of property during his long and successful career. During the residue of his life he gave much attention to literary pursuits, which had always occupied a share of his time, to social enjoyment, and to travel in the newer portions of our own country.

Judge Fowler was married, July 13, 1837, to Mary D. C., daughter of Robert Knox of Pembroke, and had five children. Of the four sons, three became lawyers.

HENRY ADAMS BELLOWS, LL. D.

J. 1859–1869. C. J. 1869–1873.

Son of Joseph and Mary (Adams) Bellows ; born, Rockingham, Vermont, October 25, 1803 ; admitted, 1826 ; practiced, Walpole, Littleton, and Concord ; died, Concord, March 11, 1873.

Judge Bellows was sprung from a family of note, and though born on the border of an adjoining State, spent much of his youth as well as all his mature years in New Hampshire. As a child he was delicate, and preferred the society of his elders and his book to the rough sports of boyhood. His education was gained chiefly in the schools of Walpole and the academy at Windsor, Vermont; and at the age of twenty he entered the office of William C. Bradley of Westminster, Vermont, as a student. Admitted at Newfane, Vermont, he first made a short experimental stay at Walpole, and then fixed himself in Little-

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ton in 1828. Erelong he became the leading lawyer in that vicinity. Land titles were then largely litigated in the county of Grafton, and Mr. Bellows made himself thoroughly familiar with that branch of the law, and was engaged in a great number of suits of that character, as well as others of importance.

After twenty-two years at Littleton, feeling that he had outgrown what might be called a provincial position, he removed to Concord, as a wider field of action. Retained at once in a good proportion of the heavy causes for trial in the central part of the State, he measured himself against the strongest men of the bar in that quarter. The comparison put them to the exercise of their best powers. His sound judgment, his extensive legal knowledge, his skillful manner of conducting trials, and his imperturbable equanimity made him an opponent to be respected as well as feared.

He spared no pains in preparing or in presenting his cases. All that study and consultation and the preparation of evidence could do beforehand, he did with unwearied industry, and during the hearings he was equally diligent, thorough, and faithful. It must be admitted that in his conscientious zeal for his clients' interests he fell into the habit of prolixity. This was his chiefest failing. It was remarked of him by a brother practitioner, that in consequence of his removal into Merrimac County, the average duration of jury trials there had increased by one third. Other members of the bar naturally felt that *their* clients would expect from them something like the same patient painstaking that Mr. Bellows gave to his; and so all in a degree contributed to the protraction of legal proceedings.

A pleasant anecdote is related which shows how little he regarded time in the thorough performance of his functions as counsel. He had occasion in one of his trials to cross-examine an expert in handwriting, in regard to the genuineness of a signature. The name in dispute began with the letter A, and Mr. Bellows put a long series of questions to the witness, all in relation to the different parts of that letter, wherein they resembled or differed from the genuine handwriting; first the dot at the end of the first down-stroke; then the curve that terminated in the dot; then the slant of the stroke; its lightness or heaviness; its termination at the top; and a hundred other particulars about that and the other lines which composed the letter. The pre-

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siding judge, feeling that this protracted style of examination was prolonging the trial without compensating advantages, after bearing it with what patience he might for half an hour or so, felt impelled to put an end to it, and inquired, "Brother Bellows, don't you think that this line of examination has gone far enough?" "Perhaps it has, your Honor," replied Mr. Bellows blandly, not realizing, however, that the Judge meant that he should dismiss the witness from the stand; "so now, if you please, we will take up the second letter!"

Mr. Bellows, though not a thorough partisan in politics, was elected a representative in the legislature from Littleton in 1839, and from Concord in 1856 and 1857. His eminence as a lawyer in the latter years naturally pointed him out as the fittest chairman of the committee on the Judiciary, and in that position his learning, good sense, and moderation were of great service. In later years his advice respecting projected legislation was frequently sought and freely given, and always prudently and wisely.

On the occurrence of a vacancy on the bench of the Supreme Judicial Court, Mr. Bellows was, with the concurrence of the bar in general, selected to fill it, September 23, 1859. The residue of his career was identified with that court. October 1, 1869, he was promoted to the position of Chief Justice, and continued to preside in the court to the close of his life.

The services of Judge Bellows while on the bench were of great value. He possessed qualities which specially adapted him to the place. In addition to his legal learning, which was extensive, his familiarity with practice and the traditions of the profession, gained from thirty years' fruitful experience, his habits of industrious and careful investigation, and his sound judgment and good sense, he had what has been called a judicial mind, the power of holding the balance even between parties and conflicting claims, uninfluenced by prejudice or partiality, and allowing due weight to every consideration from every side. No judge ever strove more earnestly to do his entire duty. In his tribunal each suitor felt that full justice was done to his case. The Judge was so obviously fair that he never gave offense, and scarcely ever cause for dissatisfaction. But it was not because he had no decided opinions. His convictions were formed deliberately, but when formed they were held with proportionate tenacity. While he made no professions to be a genius, capable of striking out new

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and original paths to the goal of justice, he was faithful, conscientious, and discriminating in following the old. Like Lord Kenyon, he felt safety and pride in standing *super antiquas vias;* and without being what is termed a black-letter lawyer, he cherished a reverence for the perfection of the common law system, and endeavored to maintain it in its purity. It certainly never suffered at his hands.

In all the relations of life Judge Bellows was exemplary. A high-minded, gracious gentleman, he had too much self-respect to do an act or say a word unworthy the respect of others. He treated every one with a civility which rarely failed to win civility in return. In the company of friends he was genial, and abounded in agreeable discourse, seasoned with a rare humor, and uttered in a voice peculiarly hearty and pleasantly modulated. Fond of the society of ladies, his behavior towards them was almost chivalric. In his own home he was an attentive host, and as a husband and father worthy of all love and respect.

Judge Bellows performed faithfully the duties of a good citizen, was interested in public affairs, and encouraged public improvements, sometimes to his own pecuniary loss. In religion he was a staunch upholder of the liberal faith, and a devout, consistent Christian. His career was a memorable exemplification of the value of an equable temperament, habits of useful industry, and the application of high principle in the conduct of all the affairs of life.

He received his degree of LL. D. from Dartmouth College in 1869.

He was married, June 16, 1836, to his cousin, Catharine W., daughter of Josiah Bellows of Walpole, and had six children, two sons and four daughters. Two of the latter were successively the wives of Charles P. Sanborn of Concord, and one of the sons entered the profession of the law.

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JONATHAN EVERETT SARGENT, LL. D.

J. 1859–1873. C. J. 1873–1874.

Son of Ebenezer and Prudence (Chase) Sargent; born, New London, October 23, 1816; Dartmouth College, 1840; admitted, 1843; practiced, Canaan, Wentworth, and Concord; died, Concord, January 6, 1890.

Judge Sargent was prepared for college at Hopkinton and Kimball Union academies, and defrayed a great part of the expenses of his education by teaching during his vacations. He began the study of the law in the office of William P. Weeks at Canaan, and the next year engaged in teaching school in Virginia and Maryland, at the same time continuing his legal reading under the direction of David A. Hall of Washington, District of Columbia. There he was admitted an attorney in 1842, and, returning to New Hampshire, finished his three years' course in the office of William P. Weeks, with whom, upon his admission to practice in this State in 1843, he became a partner in Canaan. In that position he remained till 1847, when he opened an office in Wentworth, and built up there a large and profitable practice. In 1844 he was appointed solicitor for the county of Grafton, and served as such for the succeeding ten years. He was a representative in the legislature in 1851, 1852, and 1853, and the last of those years was Speaker. In 1854 he was chosen a member of the state Senate, and was president of that body.

He was commissioned a circuit Justice of the Court of Common Pleas in April, 1855, and was continued on the bench of the reorganized Court of Common Pleas till the abolition of that court in 1859. Then appointed a justice of the Supreme Judicial Court, he sat upon that bench till August, 1874, the last year and a half of which time he was Chief Justice.

In 1874 he resumed the practice of the law in Concord. From that city he was in 1876 elected a delegate to the Constitutional Convention, and the two succeeding years a representative in the state legislature. In 1877 he was chairman of a committee to revise the general statutes of New Hampshire, a work which was performed with thoroughness and adopted by the legislature in 1878 under the title of the "General Laws."

Judge Sargent had been successful in the accumulation of property, and in his later years his services were largely employed

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as a director of the National State Capital Bank in Concord, and as president and a member of the investment committee of the Loan and Trust Savings Bank. He was also much interested in historical studies. He delivered an oration at the centennial anniversary of his native town in 1879; a memorial address on Chief Justice Joel Parker at Dartmouth College in 1880; and was several years vice-president, and in 1888 and 1889 president of the New Hampshire Historical Society. Other places of trust and dignity were at various periods conferred upon him.

The career of Judge Sargent may well be commended to imitation. Beginning with no special advantages of fortune or position, he wrought his own way by industry and economy to enviable success. With good but not transcendent original endowments, he cultivated his powers so faithfully that he filled the several important stations to which his fellow-citizens elevated him with usefulness and credit. A careful, prudent, painstaking lawyer, he carried with him upon the bench all his habits of thorough work, and became a judge worthy of his place among the eminent jurists who have done honor to the highest judicatory of New Hampshire. His shrewd, sound sense and his knowledge of men were on a par with his professional learning, and enabled him to avoid the rocks on which merely bookish lawyers have often split. He was always in touch with the masses. In testimony of his legal acquirements and judicial standing, Dartmouth College honored him with the degree of LL. D. in 1869.

His studies were not confined to his profession. He read with interest history, philosophy, and belles-lettres. In his social relations he found much pleasure; he was a kind friend and neighbor; in manner he was agreeable and cordial.

He married, first, Mary C., daughter of John Jones of Enfield, November 29, 1843. She died July 2, 1852, leaving two sons, one of whom, John Jones Sargent, died in Wisconsin just as he was ready to begin the practice of law. Judge Sargent's second wife, whom he married September 5, 1853, and who survived him, was Louisa J., daughter of Colonel James K. Paige of Wentworth. By this marriage he had three children.

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GEORGE WASHINGTON NESMITH, LL. D.

J. 1859–1870.

Son of Deacon Jonathan and Elinor (Dickey) Nesmith ; born, Antrim, October 23, 1800 ; Dartmouth College, 1820 ; admitted, 1825 ; practiced, Salisbury, afterwards Franklin ; died there, May 2, 1890.

A good share of the best qualities of his Scotch-Irish ancestry descended to George W. Nesmith. His father was a leading man in Antrim, but had a large family and no superfluity of means. Hence it is doubtful if George, his youngest son, would have aspired to a college education, but for a slight lameness, which would have interfered with labor on a farm or in a workshop. He acquired his classical instruction from Rev. John M. Whiton in his native place, and, relying chiefly upon his exertions for his support, obtained entrance to college. After his graduation he earned the means to pay the arrears of his college expenses by teaching, and was a year and a half principal of the academy at Bradford, Vermont. In 1822 he became by invitation of Parker Noyes of Salisbury, an inmate of his law office. Mr. Noyes was probably not unwilling to be relieved from contention, and kindly allowed his student, as soon as he had mastered the rudiments of the law, to attend for his own benefit to the justice business which came to the office, of which there was a good deal at that day. Thus young Nesmith early learned to measure himself against experienced lawyers, and gained familiarity with his calling, and confidence. When his three years of study were ended, Mr. Noyes received him into an equal partnership for a year, and then retired, leaving him the good-will of his business.

From his very start in his profession the people who knew him believed in him, — in his mental ability, his sagacity, and his thorough uprightness, and trusted him implicitly to look after their public and private interests. He was chosen a representative in the legislature no less than fifteen times, beginning with 1830 and ending with 1872, and was a delegate to the Constitutional Convention of 1850, and a presidential elector in 1888. At the time of his decease he was president of the Franklin Savings Bank, of which he had been a director since 1869 ; a trustee of Dartmouth College, which he had been since 1858 ; president of the New Hampshire Agricultural College, of which he had been

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a trustee since 1870; and president of the New Hampshire Orphans' Home, which he had been since its organization in 1871. He had also been one of the first directors and eight years president of the Northern Railroad. In 1859 he received the appointment of Justice of the Superior Court, and served until he reached the age of seventy years.

Judge Nesmith had a firm hold of the great principles of the law, but gave himself small concern about the niceties, — the ornamental work. He never encouraged litigation, and it was said of him that he settled more incipient and projected suits than any other practitioner in the State. He acted often as a referee in important cases. This was a method of disposing of controversies which met his approval, as it afforded an opportunity of doing substantial justice between the parties, without being trammeled by legal technicalities. An anecdote will show his summary style of reaching an equitable decision. He was once the chairman of a board of referees, before whom a suit involving a considerable amount was heard at great length. The youngest member of the board acted as scribe to take minutes of the testimony. When the case was finally submitted and the referees had withdrawn for deliberation, the junior remarked, "I suppose now I 'd better read over the evidence." "Oh, no," said Mr. Nesmith, "no need of that; *let's chalk.*" Probably no man ever administered justice with a more even hand, however, than he. He was counsel in many important actions, and his instinctive sense of right, his native shrewdness, and his accurate judgment of men, as well as his acquaintance with legal principles, rendered him a strong support to any cause. He made no display, but the client who had secured his help felt that his interests would be fully guarded.

Judge Nesmith was long a political power in the State. He had small ambition for his personal advancement, but as a legislator and counselor of his party he was invaluable. He was a particular friend of Daniel Webster, and at the visits of the great statesman to his New Hampshire home, he always made much of the society of Judge Nesmith. For him in return Judge Nesmith had the highest admiration. It was through his instrumentality that the Elms Farm, Webster's Franklin home, was secured for the charitable purpose of furnishing a refuge to orphan children of the State. He gave generously of his means and of his time to this object, and the institution, now well founded and success-

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ful, will always remain a monument to the joint memory of Webster and Nesmith.

Judge Nesmith's support was always cheerfully given to every public improvement. He wrote the charter of the town of Franklin, and labored zealously for its sanction by the legislature, while he was a tyro in the law; he was a leader in the campaign that was necessary to introduce railroads in the State, and was early interested in manufacturing enterprises that have since brought so great prosperity to his town.

His personal character was of the highest. Notwithstanding he was so many years before the public eye, no whisper of detraction was ever breathed against him. Not even his political opponents disparaged him. His society was sought by all. He was fond of conversation, and drew from his capacious and tenacious memory endless stores of reminiscences and anecdotes for the entertainment of his hearers. His recollections of the earlier members of the bar were clear and distinct, and the present writer only regrets that they could not be embodied in his own racy style in this work. He was the author of not a few sketches of interesting persons and events, which have been published in journals and magazines; but was never prevailed upon to undertake any extended historical work, though often urged to do so.

He was joined in marriage, September 26, 1826, to Mary M., daughter of Samuel Brooks of Bradford, and granddaughter of General Timothy Bedel of the Revolution. They had two sons and a daughter; the latter alone outlived her father.

WILLIAM HENRY BARTLETT.

J. 1861–1867.

Son of Samuel C. and Eleanor (Pettingill) Bartlett; born, Salisbury, August 20, 1827; Dartmouth College, 1847; admitted, 1851; practiced, Concord; died there, September 24, 1867.

The family of Bartlett has long been a distinguished one in the annals of New Hampshire, and the branch of it from which William H. Bartlett sprang is specially notable for its men of talents and learning. In his childhood he took to study with a keen relish, sometimes even to the neglect of "healthful play." At the age of thirteen he entered the academy at Meriden village, Plainfield, and in two years' time had mastered the preparatory studies

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for college. In 1842 he was matriculated at Dartmouth, and stepped at once to the head of his class. In his sophomore year he was absent several months, engaged in study elsewhere, so that when he reëntered, it was in the class of 1847, and in that also he took the highest rank as a scholar. His youth rendered it advisable, in the opinion of his friends, that he should not at once after his graduation begin his professional preparation, and he spent a year as a post-graduate in the study of history, German, and the Greek drama, at the Western Reserve College, in which one of his brothers was a professor.

He then, in 1848, was received as a student at law in the office of Ira Perley at Concord, until the latter went upon the bench in 1850; after which he finished his study under Henry A. Bellows of the same city. Immediately on his admission to the bar in 1851 he opened an office in Concord. In 1853 and 1854 he was chosen solicitor of the city. In 1857 his health began to show symptoms of failure, and from that time forth he was never a well man, but continued heroically to the last to do his work as lawyer and judge, in spite of the progress of incurable disease.

His legal accomplishments and his intellectual superiority were so generally understood, that from his very start in the profession his services were in request in cases of difficulty and importance. And although he rarely appeared as an advocate, and especially at trial terms, and was one of the most unassuming of men, yet his fame as a lawyer of great learning, and of the highest judicial fitness, was so well established among the bar, that in 1861, when a vacancy occurred upon the bench, and it was understood that he would accept the appointment, he was named a Justice of the Superior Court by substantially the unanimous voice of the profession.

It is scarcely extravagant to say that he met every requirement of his position. Let Chief Justice Perley, who knew him thoroughly, and valued him most highly, tell the story of his reception: "When he went upon the bench, his high qualifications for the office were at once recognized by the legal profession. His youthful appearance, his unpretending manners, and his easy and rapid way of dispatching business might have led a careless observer to fear that he would be found wanting in solidity and soundness of judgment; but the character of his mind was eminently judicial. His examination of authority in cases which

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required it was faithful and exhaustive. He weighed conflicting arguments and reasons with equal impartiality. He had great sagacity in perceiving the practical bearing of any question under consideration, and its connection with the whole complete system of the law, and his opinions and rulings were received with the greatest respect and deference by the legal profession throughout the State. In presiding over trials I never learned that he was known in the most irritating circumstances to lose the sweetness and equanimity of his own temper; and he often had the rare felicity of winning from both sides the commendation of perfect fairness and impartiality."

Judge Bartlett's relations with his associates upon the bench were of the most agreeable character. His legal learning, and the readiness and almost unerring certainty with which he grasped the principle which should govern the decision of a cause, were well known to them. In repeated instances they felt constrained to yield their impressions of the law to his unanswerable arguments, and in one prominent case[1] his opinion reversed the doctrine which had previously been held in this State, sustained, too, by the current of English and American authorities. And unquestionably his associates rested with more confidence upon their opinions, in general, when buttressed by his approval. He did not need, however, to give his entire time to the law. The rapidity of his acquisition was such that he found leisure also for various and wide reading. He was fond of books and of congenial society, and never denied himself the enjoyment of either. He had a genuine scholar's taste for the best literature; and there was an aroma of scholarship in everything that proceeded from his lips or his pen.

Through the six years of his connection with the bench, he performed his public duties with no diminution of thoroughness or ability, though the inroads of disease in the later part of that period greatly decreased his bodily vigor. But his spirits were never depressed, and his intellectual fires never paled. His pleasant and often playful manner would never have led one to suppose that he was struck with a mortal illness. The world has not often seen a more symmetrical character than that of Judge Bartlett. Learned without ostentation; with intellectual powers of the first order, yet without assumption; easily leading, yet

[1] Bassett *v.* Salisbury Manufacturing Co. 50 N. H. Reports, 444.

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making none seem to follow; yielding in trifles, firm and fearless in essentials; always devoted to the right, he was the ideal of a great judge. Affectionate by nature, a fond son, husband, and brother, a true friend, conscientious and pure-hearted, he was as much beloved as a man as he was respected as a magistrate. In his presence the angry elements of forensic contests were stilled. The most disappointed suitor never dreamed of questioning his impartiality or his capacity.

May 8, 1856, he was married to Caroline, daughter of Abel Baker of Concord, and sister of Nathaniel B. Baker. She survived her husband.

WILLIAM SPENCER LADD, LL. D.

J. 1870–1876.

Son of Hiram and Aurelia (Palmer) Ladd; born, Dalton, September 5, 1830; Dartmouth College, 1855; admitted, 1859; practiced, Colebrook and Lancaster; died, Lancaster, May 13, 1891.

Mr. Ladd was fitted for college at the New Hampshire Conference Seminary at Tilton; and after taking his degree, was a teacher at Danvers and South Danvers, Massachusetts, for a year or more. His law studies were commenced in the office of Alfred A. Abbott of Salem, Massachusetts, and concluded in that of Burns and Fletcher in Lancaster. Beginning practice at Colebrook in 1859, he continued there till September, 1867, when he entered into partnership with Ossian Ray at Lancaster. In 1870 he received the appointment of Justice of the Supreme Judicial Court. That judicatory was "reorganized" in 1874, and he was retained in the highest state tribunal by being commissioned a Justice of the Superior Court. Another change of the courts took place in 1876, and Judge Ladd was not reappointed.

He returned to the bar, and continued in practice as long as he lived.

In 1883 he was chosen a representative in the legislature of the State, and the same year was selected as state reporter. This office he filled with punctuality and accuracy up to the time of his death. His last public service was as a delegate to the convention to revise the Constitution of the State, in January, 1889.

Judge Ladd was endowed with great intellectual strength. By the constitution of his mind he was impartial and independent.

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Early in his practice he made his mark as one who could be trusted to do his utmost for his employers, and whose utmost was not easily surpassed. His removal from Colebrook to Lancaster, the seat of the chief law business of the county, indicated a stage of his progress. A broader field had become necessary for the free exhibition of his powers. The firm of Ray and Ladd was a peculiarly strong one. Both members made friends and inspired confidence; the one was noted rather for his fluency, readiness, and adaptability; the other for strength, tenacity, and breadth of views.

Judge Ladd had been at the bar only eleven years when he entered upon his judicial labors, and had not become well known in many sections of the State; but wherever he made his appearance his fitness was quickly admitted. All his instincts were on the side of justice. He had no patience with the cobweb theories that were woven to obscure the real merits of causes, but brushed them aside without scruple. He got down at once to the hard pan of fact and reason.

He was a believer in the gospel of work. His conclusions were not reached hastily, but were wrought out on the anvil of study and thought. When he had once got his grasp upon a subject, he did not part with it without learning it through and through. His upright character and steady poise gave confidence that he would not be hurried away by stress of passion, nor swayed by fear or favor. No more appropriate field for the exercise of his peculiar qualities could be found than the judicial bench. And the same qualities caused him to be frequently called on to act as arbitrator in questions of special nicety and importance.

As a practitioner he ranked with the best. In consultation he was reckoned a tower of strength. In matters of railway law, wherein he was much employed in later life, he became a recognized authority. He was more distinguished as a counselor than as an advocate. He had none of the readiness of speech that is sometimes mistaken for eloquence; nor the art of getting on the "blind side" of jurymen. His words came slowly and with apparent effort, but they carried weight, for there was thought behind them.

Judge Ladd was respected by all who knew him. He was positive, honest, outspoken, and did nothing in a corner. Where you found him to-day, you might be sure he would be to-mor-

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row. He was fond of books, and rare ones, and gathered many. He enjoyed the society of friends, and was a most agreeable companion. His nature was kindly, his disposition generous. He attached himself strongly to those who knew him best.

Dartmouth College granted him the degree of LL. D. in 1887.

He was married, July 1, 1860, to Mira B., daughter of Hiram A. Fletcher of Lancaster. They had two sons and a daughter. Fletcher Ladd, the elder son, is a practitioner of the law in Boston, Massachusetts.

EDMUND LAMBERT CUSHING, LL. D.

C. J. 1874–1876.

Son of Edmund and Molly (Stearns) Cushing; born, Lunenburg, Massachusetts, May 3, 1807; Harvard College, 1827; admitted, 1834; practiced, Charlestown; died there, June 4, 1883.

This gentleman was connected with noted jurists; Asahel Stearns, the author of the "Treatise on Real Actions," was his maternal uncle, and Luther S. Cushing, the author of the "Manual of Parliamentary Practice," was his elder brother. He was among the brightest and best scholars of his class in college, and upon his graduation was offered the post of tutor, which he filled for a time, though he afterwards regretted it, saying that "he wasted some very valuable years in teaching." He was not admitted to the bar till he was twenty-seven, and did not begin practice in New Hampshire till six years after that, when he settled in Charlestown, an eligible opening occurring there by the appointment of John J. Gilchrist to the bench in 1840. He had already found a wife there.

His thorough preparation and application to his profession, and his success in practice, soon brought him into prominence. In 1850, 1852, and 1853 he was chosen to represent the town in the legislature; and in 1855 he was appointed one of the circuit justices of the Court of Common Pleas, an office which was soon abolished by a change of the judiciary system. He was then tendered a judgeship of the new Court of Common Pleas, but declined it. He returned to the bar, and practiced with great success and repute in the western counties of the State until 1874, when upon a reorganization of the courts by the political party to which he belonged, he was summoned to the post of Chief Justice

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of the Supreme Judicial Court. The reorganization, after subsisting only two years, was again changed, and Judge Cushing's judicial career abruptly ended. It is always unfortunate when the courts of justice become the subject of party contentions, and especially so when the effect may be to deprive the community of the services of officers of high character and qualifications. Judge Cushing undoubtedly possessed many of the requisites of a first-rate judge. He had, according to the description of an eminent member of his own profession, "a well-trained mind, a calm judgment, a keen power of analysis that never failed to throw light upon the matter that he had in hand. . . . And he has done what would satisfy the ambition of most men, — he has contributed largely to elevate and dignify the character of his chosen profession. . . . In the long line of our eminent chief justices, it is believed that no one has brought to the position a stronger desire to perform the high duties allotted to him with integrity and absolute impartiality." Though experience has shown that in this country, at least, appointees to the bench above the age of sixty have rarely become successful judges, yet it seems a pity that a man of Judge Cushing's accomplishments should not have had a longer trial.

Besides his distinction at the bar, Judge Cushing was noted for his literary and scholarly tastes. He edited an edition of his brother's "Manual" with original notes, and is said to have done other literary work. His gift as a musician was especially notable. From early life he was a performer upon the organ and piano, of wonderful skill. He had a peculiarly light and airy touch; and his performance has been characterized as "picturesque." In his own church he always played the organ at religious meetings, except when he was absent on professional business.

Harvard College gave him the degree of Doctor of Laws in 1875.

His first marriage was with Laura E., daughter of Vryling Lovell of Charlestown, April 1, 1835; his second to Martha R., daughter of Captain James Gilchrist of Charlestown, November 24, 1858. By the former marriage he had four children. His eldest son, Edmund H. Cushing, prepared himself for a lawyer's life, but early left the profession.

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CLINTON WARRINGTON STANLEY.

J. 1874–1884.

Son of Horace C. and Mary Ann (Kimball) Stanley; born, Hopkinton, December 5, 1830; Dartmouth College, 1849; admitted, 1852; practiced, Hopkinton and Manchester; died, Manchester, December 1, 1884.

Mr. Stanley, at the age of fourteen, had at the district school and the academy in his native town fitted himself to enter college. Graduating therefrom at nineteen, he applied himself for two years to the study of the law under the direction of Hamilton E. Perkins of Hopkinton. The last year of his apprenticeship he passed in the office of George W. Morrison of Manchester. After one year of practice in Hopkinton, he was received as a partner by Mr. Morrison, who recognized the value of an association with the young lawyer of such cool business habits and untiring industry. Thenceforth Mr. Stanley lived in Manchester, and was identified in interest and reputation with that city. The firm of Morrison and Stanley (which also included two or three other members at different times) was a peculiarly strong one, and for about twenty-three years had perhaps the largest practice in Hillsborough County, besides no insignificant amount in Merrimac and Rockingham. Mr. Morrison was an advocate of wide renown, and Mr. Stanley was a thorough business lawyer, who not only knew about his own cases, but his opponents' also, and never let an advantage go unimproved. Their practice embraced a great variety of matters, in almost every department of the law. They had so many irons constantly in the fire that nothing but the systematic attention and industry of Mr. Stanley could have prevented some of them from being burned, occasionally. But he was always calm and collected, never hurried, never flurried, and everything was cared for in its due season. Of course, as the managing partner of a large office, he could not have successfully conducted the business, had he not been also a good "all-round" lawyer. He had little time to devote to any study, however, outside of the questions that arose in his own practice, but those were never neglected. He was also amply endowed with that clear common-sense and sound judgment, without which all book-learning is unavailing.

A business of such extent and so conducted must be profitable,

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pecuniarily, and Mr. Stanley acquired property, to the investment and management of which he brought the same care and foresight. His financial ability was seen and called into requisition by others. Upon the organization of the City National Bank in 1865, he was chosen its president, and for fourteen years continued to fill that office. And in 1881, upon the death of Judge Ira A. Eastman, he was elected one of the trustees of Dartmouth College. To that board he was an acquisition of great worth, on account of his deep interest in the institution, his wise discretion, and his advice upon legal and prudential questions.

In 1874, when the judiciary system of the State was remodeled and a Circuit Court established, Mr. Stanley was made one of the judges. So satisfactorily were his duties performed that, two years afterwards, when the opposite political party restored the former system, he was retained on the Superior Court bench, as the senior associate Justice. There he remained to the close of his life. He was an eminently useful and acceptable magistrate; especially so when holding trial terms of the court, where his remarkable power of dispatching business with promptness and accuracy had scope for its exercise. He had the reputation of being able to bring causes to a conclusion more rapidly than any other judge, and it may be added, with equal contentment to suitors.

Judge Stanley made no pretensions to brilliancy or to exceptional legal talents. His strength lay largely in his clear head, his well-balanced judgment, and his power and disposition for mental labor. His bodily health was sound, his vigor had never been sapped by disease or indulgence, and he loved to work. In his judicial duties he found his recreation not less than his occupation. His long experience in the courts gave him great readiness in disposing of all interlocutory questions. His knowledge of the state of the docket at every term seemed almost an intuition. After the first calling over of the list of actions, he appeared to know, better than the counsel, almost, what and how much there was in every case to occupy the attention of the Court.

No matter how hard pressed he was, he always came to the duties of the new day with a smile on his face. Nothing disturbed his equanimity. Even down to the latest period of his life he maintained the same serene composure. His death was a seri-

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ous loss to the bench, to the college for which his interest was constant and deep, and to the city of his home, where he was especially esteemed and valued.

He was united in wedlock, December 24, 1857, to Lydia A. Woodbury of Weare, who outlived him. He left no children.

AARON WORCESTER SAWYER.

J. 1876–1877.

Son of Aaron F. and Hannah (Locke) Sawyer; born, Mont Vernon, October 11, 1818; admitted, 1844; practiced, Nashua; died there, August 23, 1882.

Mr. Sawyer acquired his academical instruction at the seminaries in Hancock, Derry, and Nashua, and his professional training in the office of his father. He had also several years' experience in teaching district schools, no bad preparative for a legal career, accustoming him as it did to habits of patience, accuracy, and thoroughness, and acquainting him with human nature in the child, "the father of the man." He was the partner of his father in practice in Nashua from 1844 to 1847, when his father's death put him in possession of the business and a homestead. A year afterwards he formed a partnership with Charles G. Atherton, which lasted until Mr. Atherton's death in 1853. Mr. Sawyer continued in business alone until 1858, and then became the partner of Aaron F. Stevens. In 1874 he withdrew, in a great measure, from practice, but in 1876 was commissioned a judge of the Supreme Court. He retained his seat on the bench, however, less than two years, when he resigned it on account of ill health. An insidious disease, from which he had suffered for some years, affected his bodily, and to some extent his mental powers, so that he felt it was imprudent for him to retain his judicial responsibilities longer.

He had in early life connected himself with the Congregational church, and as he advanced in years felt a desire to exert himself more actively in the work of religion. In 1874 he obtained from the Hollis Association of Ministers a license to preach, and during the later years of his life he gave a great portion of his time to public religious exhortations, and to lectures on temperance.

Judge Sawyer was moderate in speech and in manner, and inherited much of the good judgment and conscientious feeling

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that characterized his father. He was fond of his profession; studious, with a large library; untiring in mastering every question that arose in his business. His cases were prepared with thoroughness, and tried with care and deliberation. When his opinion was required, he scorned to encourage with unfounded hopes or too sanguine views of the law, but with conscientious fidelity disclosed the worst as well as the best, to his clients.

His manners and disposition were winning, and his friendships were many and lasting. The community in which he lived gave him their esteem and confidence. He served his town for a considerable time as superintending school committee, and afterwards as chairman of the board of selectmen; and when Nashua became a city, he was made city solicitor and mayor. He was also representative in the legislatures of 1865 and 1866, and state senator in 1857 and 1858. From 1867 to 1876 he administered the office of register in Bankruptcy under the laws of the United States. Dartmouth College attested his merits by conferring upon him in 1863 the honorary degree of Master of Arts.

Judge Sawyer was twice married; first, to Fanny Ingalls of Merrimac, who died after a few months; second, to Fanny, daughter of Francis Winch of Nashua, who survived him. He also left a daughter and a son.

WILLIAM HENRY HARRISON ALLEN.

J. 1876–1893.

Son of Rev. Joseph and Lyna (Abbott) Allen; born, Winhall, Vermont, December 10, 1829; Dartmouth College, 1855; admitted, 1858; practiced, Newport; died, New York city, April 26, 1893.

Mr. Allen in his youth made himself familiar with the labors of the farm, and afterwards with the duties of a master of "winter schools." In college he is reputed to have been the second in rank of a class which contained several scholars of mark. After three years spent in teaching and in diligent study of the law under the direction of Messrs. Wheeler and Faulkner of Keene and Messrs. Burke and Wait of Newport, he was qualified to open his own office in the latter town in 1858. He was soon after appointed clerk of the courts in Sullivan County, and served acceptably until 1863, when he was made a paymaster in the army of the United States. In this capacity he was stationed for

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upwards of a year in Washington, District of Columbia, and afterwards and until his discharge, in Philadelphia, Pennsylvania.

In December, 1865, he settled his accounts, and returned to his law practice in Newport. He was soon again called upon to serve the public by his appointment as Judge of Probate for his county in January, 1867. In the seven years and a half that he filled that post he was so successful that not one of his decisions was set aside by the Supreme Court.

In 1867 he was also made a United States register in bankruptcy, and he continued to exercise the duties of that office, also, until 1876, when upon the general request of the bar of Sullivan, he was raised to the bench of the Supreme Court of the State. His appointment was highly satisfactory. He was endowed with many engaging qualities. He was genial and obliging, and commanded the good-will and confidence of all. Of scholarly tastes and habits, he excelled particularly in mathematical science. His knowledge of the law was ample and exact, and among his printed opinions are to be found some that are models of legal discussion and statement. In the determination of questions of law he was especially useful to the Court.

In his practice at the bar he had had little experience in the trial of causes before the jury, and for that reason, perhaps, did not fully realize and make allowance for the difficulties that beset counsel, and impede progress at nisi prius. Active and ready himself, he was inclined to remonstrate against delays, and even sometimes to almost take the functions of the lawyer into his own hands; a proceeding which usually tends very little to promote real satisfactory progress. Trifling as were these blemishes upon a spotless judicial character, it is probable that they were the first visible effects of the disease which at length obliged him to resign his commission.

He fully comprehended the obligations of his station, and was always ready to meet them. The good fame of the profession to which he belonged was dear to him, and he would not see it sullied by the misconduct of any of its members. The zeal with which he pursued certain alleged violations of the attorney's oath, in one instance, was most commendable as well as salutary in its effects.

After remaining upon the bench more than seventeen years, the failing state of his health admonished him that he must re-

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frain from further severe application. He sought a warmer clime; and it was on his return from Cuba, where he had spent the winter, that he suffered a relapse, which terminated his life.

From the year 1868 his home was in Claremont, where he was highly esteemed. Chosen often to town offices, he cheerfully accepted them. His legal knowledge, his practical good sense, and his superior business capacity he willingly put at the service of his townsmen on all occasions.

He was first married in 1856, to Ellen E., daughter of John Joslin of Surry. She died in 1873. In October, 1874, he was again married, to Sally S., daughter of Dr. John Sabine of Strafford, Vermont. He left seven children by his first marriage.

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LIVING EX-JUDGES.

JEREMIAH SMITH, Dover, J. 1867–1874.
ELLERY A. HIBBARD, Laconia, J. 1873–1876.
WILLIAM L. FOSTER, Concord, J. 1869–1874.
GEORGE A. BINGHAM, Littleton, J. 1876–1880; 1884–1891.

PRESENT JUDGES.

CHARLES DOE, Rollinsford, J. 1859–1876. C. J. 1876–
ISAAC W. SMITH, Manchester, J. 1874–
LEWIS W. CLARK, Manchester, J. 1877–
ISAAC N. BLODGETT, Franklin, J. 1880–
ALONZO P. CARPENTER, Concord, J. 1881–
WILLIAM M. CHASE, Concord, J. 1891–
ROBERT M. WALLACE, Milford, J. 1893–

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MEMBERS OF THE BAR
WHO HAVE LIVED AND PRACTICED IN THE STATE.

DECEASED LAWYERS.

DANIEL ABBOT.

Son of Timothy and Sarah (Abbot) Abbot; born, Andover, Massachusetts, February 25, 1777; Harvard College, 1797; admitted, 1802; practiced, Londonderry and Nashua; died, Nashua, December 3, 1853.

Mr. Abbot was descended from George Abbot, one of the early settlers of Andover, Massachusetts. He was prepared for the bar in the office of Ichabod Tucker, in Haverhill, Massachusetts, and of Thomas W. Thompson, in Salisbury, where he is said to have been a fellow student of Daniel Webster. In September, 1802, he offered himself as an attorney at Londonderry, but after a short stay there, fixed his residence in Dunstable, afterwards Nashua. Where now the city of Nashua stands, the unbroken forest then stood. There the ambitious young lawyer on July 4, 1803, delivered an oration on our National Independence, which received the honor of print.

It was some years before any other lawyer appeared in Dunstable to share the limited business of the place. But in about twenty years began the growth of manufactures which have since brought Nashua into the front rank of our prosperous cities. Mr. Abbot's fortunes advanced *pari passu*. He became a considerable owner, and the president of the Nashua Manufacturing Company during its early years; the president of the Nashua and Lowell Railroad from its inception in 1837 for some fourteen years, and also president of the Wilton Railroad from its organization to within a short time of his death.

He represented the town in the state legislature in 1810, 1811,

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1812, 1821, 1838, 1839, and 1848; was chosen state senator in 1831, and declined a reëlection in 1832; and in 1850 was a delegate to the convention to revise the Constitution of the State. He was a prudent, careful lawyer, who made little display, but was successful in business, and won the respect of clients and townsmen. His standing among his professional brethren was of the highest, and he was long president of the bar of Hillsborough County.

In his domestic relations he was happy. His wife was Elizabeth, daughter of William Pickman of Salem, Massachusetts, and they had four sons and a daughter. The latter was the accomplished wife of Charles J. Fox, after whose early decease she was again married to Governor Samuel Dinsmore, Jr.

JOSEPH B. ABBOT.

Son of a school-teacher, and a native of Pennsylvania, it is believed.

Of this gentleman, who made but a brief stay in the State, little has been ascertained. Farmer states that he was a student with Joseph Bartlett of facetious memory. He was admitted in the Court of Common Pleas of Rockingham County at the August term, 1815, and was in practice in 1816 at Portsmouth, in company with Joseph Bartlett. The bar records show that in January of that year certain "expressions used by Estwick Evans towards Mr. Abbot, a member of this bar, were highly indecorous, and an apology was due."

Mr. Abbot removed to Virginia, since which nothing is known of him.

SAMUEL ABBOT.

Son of Abiel and Dorcas (Abbot) Abbot; born, Wilton, March 30, 1786; Harvard College, 1808; admitted, 1812; practiced, Wilton and Dunstable; died, Jaffrey, January 2, 1839.

Receiving his early instruction from his brother Abiel, afterwards the distinguished clergyman, and at the public schools of his native town, Mr. Abbot entered Harvard College at the age of eighteen. His law studies he prosecuted in the office of Charles H. Atherton of Amherst, on whom, by his ability and conscientious improvement of his time, as well as by his classical learn-

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ing, he made a most favorable impression. He first went to Wilton to practice, but soon after to Dunstable, and remained there till 1817. He next tried Ipswich, Massachusetts, but at the close of 1818 returned again to Wilton, and quitted the practice of his profession.

He had no liking for the practice of law, and his most satisfactory labors were in the field of physical and moral science, and general literature. He devoted himself especially to chemistry and the mechanic arts in their application to the useful purposes of life. He was the first to carry into practical operation the manufacture of starch from the potato. The process of extracting and clarifying the starch was his own invention, and as early as 1813, he, with the coöperation of his brother Ezra, erected a mill moved by horse power which accomplished the desired result. In 1821, with the encouragement of the Waltham Manufacturing Company, they established the first potato starch manufactory, on a considerable scale.

This valuable discovery led, singularly enough, to the accident which caused his death. Mr. Abbot was interested in a starch mill in Jaffrey, and was its superintendent. The establishment took fire, and Mr. Abbot attempted to save a trunk containing his accounts and securities, which was in the interior of the building. He entered the door, but his retreat was cut off by a sudden outbreak of flame and smoke, and he fell, suffocated, never to rise again. The remains of his body were found amid the ruins.

He was one of the few men who habitually and systematically throughout life made the utmost of their powers. He was deeply religious, and acted in all things from conscientious motives, subordinating his passions and desires to his sense of duty.

He never married.

JOHN FRINK ADAMS.

Son of Professor Ebenezer and Alice (Frink) Adams ; born, Leicester, Massachusetts, November 3, 1799 ; Dartmouth College, 1817 ; admitted, 1823 ; practiced, Lyme ; died, Baltimore, Maryland, May 10, 1883.

Mr. Adams's professional experience in New Hampshire was short. He was fitted for college at Moor's Charity School in Hanover, and after his graduation was a teacher a year in Massachusetts, a year in Virginia, and three years in Washington, Dis-

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trict of Columbia. He afterwards took a course of instruction at the Law School in Litchfield, Connecticut. He practiced two years at Watertown, New York, and then came to Lyme, where he stayed from 1825 to 1827, but probably finding it no encouraging field, he removed to Mobile, Alabama, and pursued his profession there for twenty-six years. His appointment to a clerkship in the Pension Office then brought him to Washington, District of Columbia, where he held that position and afterwards a similar one in the Land Office, until his resignation in 1857. He continued to live in Washington for some time afterwards, and was for a while a Judge of the Court of Claims, and finally, before 1880, removed to Baltimore.

He was married, July 2, 1835, to Elizabeth L., daughter of Lovell Walker of Leominster, Massachusetts. She died in 1866. Of their five children, four survived their parents.

NATHANIEL ADAMS.

Son of Captain Nathaniel and Elizabeth (Parker) Adams; born, Portsmouth, 1756; Dartmouth College, 1775; lived, Portsmouth; died, Exeter, August 5, 1829.

Though Mr. Adams was not strictly a member of the bar, yet he was so long and so closely identified with the profession that it appears highly proper to include a sketch of him in this work.

His father was a prominent shipmaster, and his mother was a daughter of Judge William Parker of Portsmouth. He graduated from college with distinction, and subsequently was complimented with the honorary degree of Master of Arts from Harvard College. He first established himself in his native town as a land surveyor and civil engineer, and in 1779 was made a notary public, an office of importance then.

In 1781 he was appointed assistant clerk, and in 1787 clerk of the Superior Court, and filled the latter office continuously until his decease, with the highest degree of intelligence, efficiency, and fidelity. His duties were, a part of that time, quite onerous, as he was obliged to attend the sessions of the Court in all the counties. He also edited the first volume of the reported decisions of the Court.

He gave much time to literary and historical pursuits, and aided greatly in establishing the Portsmouth Athenæum. He

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was a contributor to the published collections of the New Hampshire Historical Society, of which he was an original member, and an officer. The great achievement of his pen was the "Annals of Portsmouth," issued in 1825, a work of character, and an authority to-day in all matters then within the reach of a careful and diligent investigator.

One who knew him describes him as "a gentleman of courteous and polished manners, and possessed of a wonderful memory, stored with an inexhaustible fund of anecdotes of the court and bar, which he took great delight in relating. In his personal appearance he bore a striking resemblance to President John Quincy Adams."

He died of apoplexy while in attendance upon a term of the Court in Exeter.

His first marriage was with Eunice, daughter of Colonel Moses Woodward of Portsmouth, May 20, 1784; his second with Martha Church of Hatfield, Massachusetts, in October, 1795. He left several children.

JONATHAN AIKEN.

Son of James and Elizabeth (Pinkerton) Aiken; born, Londonderry, June 19, 1784; Dartmouth College, 1807; practiced, Goffstown; died, Peoria, Illinois, August 28, 1839.

Mr. Aiken studied law in the office of Josiah Forsaith of Goffstown. In 1813 he settled in practice in Goffstown, and there continued to reside for something more than a quarter of a century. He was a respectable, but not a brilliant practitioner, and out of the avails of his professional labors in a small country town found it not too easy, probably, to do much more than support his large family. It is not to be wondered at, therefore, that he at length turned his eyes towards the West, as likely to afford to his children, as well as to himself, a more encouraging prospect of fortune. But so far as he was concerned, he postponed his removal too long, for at fifty-four or five years of age, so radical a change of residence and habits is fraught with danger. He took up his abode in Peoria, Illinois, but survived the removal only a few months.

He was married, November 22, 1809, to Nancy Patterson, daughter of Phineas Aiken of Bedford. He had twelve children, nearly all of whom lived to maturity. One, John Aiken, was a lawyer.

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CALVIN AINSWORTH.

Son of Dr. Calvin Ainsworth ; born, Littleton, August 22, 1807 ; admitted, 1835 ; practiced, Littleton and Concord ; died, Madison, Wisconsin, July 7, 1873.

Mr. Ainsworth was educated in the common schools and at the academy in Concord, Vermont, and began the study of the law with Jonathan Stoddard of Waterford, Vermont, and completed it under Henry A. Bellows of Littleton. He was admitted at the court in Plymouth, November term, 1835. Establishing himself as a practitioner in his native town, he remained there seven years, and then changed his home to Concord. For a time he was a partner of Ira Perley. In 1845 he received the appointment of register of Probate for the County of Merrimac, which he held till 1850. In 1852 he was joined with Ralph Metcalf and Samuel H. Ayer in a commission to revise the statutes of the State; and their work was enacted by the legislature, and published in 1853 under the title of the "Compiled Statutes."

Upon the adoption by the inhabitants of Concord of a city charter in 1853, Mr. Ainsworth was appointed Judge of the Police Court, and occupied the position as long as he remained in the State. He was also for a time treasurer of the Concord and Claremont Railroad. After twelve years' stay in Concord, he determined to change his residence to the great West, and made his new home in Madison, Wisconsin. He lived there about eighteen years. He was chosen Police Justice of Madison in 1862, and was a most satisfactory officer.

He was regarded as a good and safe lawyer, not of the aggressive sort, but decidedly conservative. As a man of business and accounts he had few equals, but he had not the qualities to make him an advocate. He was tenacious of his opinions, of correct judgment, and the strictest integrity, and he won friends in every community where his fortunes called him.

He was twice married ; first, to Eliza, the sister of Judge Henry A. Bellows, who lived but a short time after her marriage; and second, in 1846, to Mrs. Letitia (Stinson) White, widow of Joseph W. White, a lawyer who practiced for a time in Portsmouth. She survived him, but he left no descendants.

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WILLIAM AINSWORTH.

Son of Laban and Mary (Minot) Ainsworth ; born, Jaffrey, August 24, 1792 ; Dartmouth College, 1811 ; practiced, Jaffrey ; died, Concord, June 14, 1842.

Mr. Ainsworth was the son of a clergyman, and studied law partly with Samuel Dakin of Jaffrey, and partly with Judge Barnes of Tolland, Connecticut. He opened an office in his native town in 1814, and practiced there with good success for about seventeen years. He was thought highly of by his fellow-citizens, as he well might be, for he discouraged the spirit of litigation, and strove to heal the differences that sprang up among his neighbors. He was chosen a representative in the legislature for four successive years, beginning in 1827.

In 1831 he was induced to change his residence to New Ipswich, to take the appointment of cashier of the Manufacturers' Bank in that place. In effect he had the entire management of the bank, such unquestioning confidence had the officers in his capacity and integrity. Of course his practice at the bar was abandoned when he accepted this engrossing position. But the people of his new home availed themselves as far as practicable of his learning and abilities. He was placed upon committees for transacting the town business, and in 1841 and 1842 was sent as representative of New Ipswich to the legislature. It was while he was in attendance upon this duty at Concord that he was stricken down by the illness which caused his death.

He married Mary Morse, daughter of John Stearns of Jaffrey, September 29, 1819. They had four children, of whom it is believed that one survives.

WILLIAM GEORGE ALDEN.

Son of William and Eliza (Andrews) Alden ; born, Boston, Massachusetts, April 22, 1853 ; practiced, Laconia ; died, Palatine, Illinois, October 15, 1887.

Mr. Alden, who is said to have been a descendant of the Plymouth John Alden, was educated in the Boston Latin School, and studied law with J. Lincoln in his native city. Admitted a member of the Suffolk bar, he was in practice two years in Bos-

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ton, Massachusetts, and then happening, while on his way to the White Mountains to recruit his health, to make a little stay at Laconia, he was so much pleased with the appearance of the place that he remained and settled there. He associated himself in practice with O. A. J. Vaughan, and was also interested with him in the publication of the Laconia "Democrat."

He had not resided long in Laconia, when he determined to seek a home in the West. He first went to Chicago, Illinois, and there pursued his profession three or four years, and then removed to Palatine in the same State, and, having a taste for journalism, became the proprietor of two newspapers, which he carried on so long as he lived.

Mr. Alden is said to have been a fine scholar, with good powers of mind, and many engaging qualities of character.

He married, April 28, 1875, Ella A. Lawrence of Laconia, and they had two children.

AMOS S. ALEXANDER.

Born, Lowell, Massachusetts, May 24, 1829; admitted, 1853; practiced, Concord and Portsmouth; died, Chicago, Illinois, May 9, 1877.

The father of Mr. Alexander was at one period a resident of Hopkinton, whence it happened, perhaps, that the son pursued his law studies in the neighboring city of Concord. He first established himself in practice in the village of Fishersville in Concord. He was there but a little time when he decided to make his residence in Portsmouth, and, being an ardent politician, became the editor of the New Hampshire "Gazette," a Democratic newspaper there. He held at the same time an appointment in the custom house at Portsmouth.

He rendered loyal service to his party with pen and voice, making many political speeches, especially in the presidential campaign of 1856. He manifested much ability in this direction, though it was charged that he sometimes allowed zeal to outrun discretion. In February, 1859, he quitted Portsmouth and moved to Chicago, Illinois. There he devoted himself to his profession, and in about five years formed a most advantageous business connection as partner of J. W. Merriam, which continued during the remaining thirteen years of his life.

Mr. Merriam says of him: "I never have met with a man, in

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an experience of more than thirty years at the bar, with a more happy faculty of getting the *facts* in a case before a jury, both from his own and from opposing witnesses. He was a sound and sometimes eloquent advocate, and presented model briefs in Courts of Review. In short, he was a good lawyer, good friend, and good fellow, whose early death was deeply regretted by all who knew him."

Mr. Alexander is remembered by many in this State as of a very genial, social disposition. His political employments, however, allowed him comparatively little opportunity to show his legal acquirements in our courts.

He was married while in New Hampshire, and at his death left a widow and children.

FOSTER ALEXANDER.

Son of Colonel Reuben and Sarah (Foster) Alexander; born, Winchester, July 3, 1775; Dartmouth College, 1796; practiced, Winchester and Keene; died, Winchester, August 2, 1841.

This gentleman belonged to a large and respectable family. After the usual apprenticeship to study in the office of Noah Cooke, he was admitted as an attorney, and commenced business in his native town, about the beginning of the century. In 1809 he changed his domicile to Keene, but after practicing there till 1828, returned again to Winchester, which he made his home ever after.

Mr. Alexander is described as of gentlemanly manners and accommodating disposition, a fair lawyer, but not eminent, and with little ambition or aptitude for the trial of causes in court. While first settled at Winchester he was chosen a representative of that town in the state legislature for five years successively, from 1802 to 1807, and afterwards when in Keene he represented that town in 1822. He was elected, too, for six years, from 1827, to the office of treasurer of the county of Hillsborough.

He never married, though he is said to have been once engaged, and to have built himself an elegant mansion in Winchester, upon a well-chosen site, with the expectation of occupying it with the lady of his choice. But she changed her mind at the eleventh hour, and he never put faith in womankind afterwards.

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DAVID ALLEN, JR.

Son of David and Hannah (Wilcox) Allen ; born, Newport, December 1, 1805 ; practiced, Newport ; died there, September 1, 1851.

Mr. Allen worked upon his father's farm until he was nearly twenty-one, and in the intervals of his labor obtained his education in the common schools and at the Newport Academy, where he prepared himself to be a teacher. In that capacity he was employed for several years in Johnstown, New York. He then determined to study law, and carried out the plan in the offices of Edmund Burke in his native town, and of his brother, Ebenezer Allen, in Orono, Maine. He began to practice in Perrysburg, Ohio, but shortly afterwards returned to Newport, and took the office and law business of Edmund Burke while the latter was serving in Congress and as Commissioner of Patents. He was a lawyer in respectable standing, but not distinguished. He lived only about a year after Mr. Burke's final return to Newport.

He was for a time the superintending school committee of Newport, and represented the town in the legislatures of 1849 and 1850.

His wife was Emeline B., daughter of Colonel Daniel Sanborn of Saubornton. Their marriage took place February 16, 1847, and they had one child, who died in infancy.

BOOZ MOORE ATHERTON.

Son of Dr. Oliver and Abigail (Ladd) Atherton ; born, Chesterfield, September 30, 1788 ; Dartmouth College, 1807 ; practiced, Keene and Westmoreland ; died, Morris, Illinois, 1867.

The father of Mr. Atherton was a physician. His son obtained a collegiate education, and was admitted a counselor of the Superior Court in Cheshire County in 1812. In that year he was in practice in Keene, and from 1813 to 1815 in Westmoreland. His name is found as counsel in one of the actions in Cheshire County at the December term, 1814, reported in "Smith's Decisions."

Soon afterwards he removed to Ohio. In 1819 he was at Cleveland, and in 1834 at New Philadelphia, in that State. Sub-

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sequently he established himself in practice in Morris, Illinois, where it is presumed he remained through life.

He married Chloe Hubbard of Keene in November, 1813, and had one child, born in Westmoreland in 1814.

CHARLES GORDON ATHERTON.

Son of Charles H. and Mary Ann (Toppan) Atherton ; born, Amherst, July 4, 1804 ; Harvard College, 1822 ; admitted, 1825 ; practiced, Nashua ; died, Manchester, November 15, 1853.

Mr. Atherton began life amid the most favorable surroundings. His father's circumstances were affluent, and his social and professional position among the highest. The son was forward in his education, and at twenty-one had finished his legal studies in his father's office. He chose Dunstable, afterwards Nashua, as his place of residence, and its subsequent growth and importance justified the choice. His professional attainments and his gifts as a public speaker speedily brought him into notice, and his tastes inclined him to political life.

As early as 1830 he was chosen representative in the legislature from Dunstable ; in 1831 and 1832 clerk of the state senate ; representative again in 1833, 1834, 1835, and 1836, and the last three of those years Speaker of the House. He was thrice elected to Congress, serving from 1837 to 1843 ; in 1843 he took his seat as a senator of the United States for the term which ended in 1849, and was reëlected in 1852 for six years, only a small fraction of which had elapsed at the time of his decease. He was also a delegate to the constitutional convention of 1850, and took a prominent part in its deliberations.

Notwithstanding the demands which these various offices made upon his time, he never neglected nor lost his interest in his profession. He attended punctually and faithfully to all his engagements, and maintained a position among the foremost lawyers in the State. His legal knowledge was ample, and he had the most ready command of it, and of all his resources. He was dexterous in the management of a cause, and sagacious in his treatment of jurors and witnesses. He brought out the strong points of his cause with great clearness and force, and presented them to the Court and jury in correct and elegant English, and with an elocution singularly exact and agreeable. His style in the court-room

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has been compared to that of Franklin Pierce; but while they were both powerful and effective advocates, yet Mr. Atherton was much the cooler and more studied in his style, and had his feelings well in hand. Mr. Pierce was more impulsive and spontaneous and emotional. Mr. Atherton kept up his law practice as long as he lived, and it was while he was in attendance upon the court at Manchester that the paralytic seizure occurred, which a few days later terminated his earthly existence. Though previously well and strong to appearance, it is probable that he had had some premonition of the attack, for as soon as he was able to write, while still speechless, he traced on paper with a trembling hand the words, "I expected this, but not so soon."

His career in Congress, no less than his eminence as a lawyer, manifested his high intellectual endowments. He was a leader in counsel and in action. His station was in the front ranks. His services in committee were not less important than in debate. His congressional speeches were numerous, and marked with great lucidity and vigor. He was an intense partisan, and his second election to the United States Senate was said to have been greatly desired, if not actually brought about, by Franklin Pierce, then President elect, in order that he might have a personal friend as the champion of his administration.

It was a remarkable circumstance that Mr. Atherton was a staunch apologist for the "peculiar institution," which his grandfather had so bitterly antagonized in the convention called to pass upon the Constitution of the United States. The grandson did his best in the House to abrogate the right of petition in regard to African bondage, insomuch that he acquired from his political opponents the unpleasant *sobriquet* of "Gag" Atherton. But he was not alone among the people of the Northern States in misinterpreting the drift of public sentiment, and in taking simply a constitutional, instead of a humanitarian view of the slavery question. It was reserved for time to open the eyes of a great majority of our public men to a just perception of the course which true statesmanship not less than philanthropy prescribed, in dealing with that perplexing and exciting subject.

Upon the announcement of Mr. Atherton's death to the Court, which was in session at the time, Daniel Clark offered some remarks, of which the following appear to afford a just estimate of the character of the deceased: "Our late brother was a bril-

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liant instance of a strong and masculine mind, successfully developed and beautifully trained. Liberally endowed by nature, he wonderfully increased the force and power and richness of those endowments by early and careful training. If it were asked in what faculty he excelled, it would be difficult to answer. He was clear; he was strong. He was brilliant; he was solid. He was at times melting and tender; then sarcastic. The great point of his excellence was a harmonious and successful development of the whole intellect. He was eminent as a lawyer and statesman. He attained a high standing both at the bar and in the councils of the nation."

Mr. Atherton's accomplishments were not confined to legal or political topics. He was thoroughly conversant with the history and biography of our own and foreign countries, and with the classics of English literature. Much of the elegance and vigor of his own diction he derived through his familiarity with the productions of the great writers of the time of Queen Anne. He was a thorough gentleman in his bearing, a little reserved it may be to strangers, but courteous and polished in his manners towards all.

He married in 1828 Ann Barnard, daughter of Hugh Hamilton Clark. He left no children.

CHARLES HUMPHREY ATHERTON.

Son of Joshua and Abigail (Goss) Atherton; born, Amherst, August 14, 1773; Harvard College, 1794; admitted, 1797; practiced, Amherst; died there, January 8, 1853.

The college song of the time described this gentleman as "high-blooded Atherton," from which we may infer something of his youthful character. He pursued his legal studies with his father and his brother-in-law, William Gordon, in his native town, was there admitted an attorney, and there in 1797 he entered into practice. Amherst was his home for life, except a few months that he passed in Portsmouth. The law was by no means a lucrative profession in a country place at that time, and young Atherton could receive little or no help from his father, but was obliged to depend on his own exertions for support. This circumstance probably taught him habits of prudence and thrift, which contributed to the accumulation of his large property in later life.

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In less than a year he succeeded in obtaining the appointment of register of Probate, which, though it brought him no great salary, was yet a welcome help to a young man. His accurate and conscientious business habits made him a model register, and he retained the office nearly forty years, till he resigned it in August, 1837.

Mr. Atherton became early known as a keen, well-read lawyer, and a sagacious, prudent man. In his own town of Amherst he was constantly put forward in every enterprise where a cool judgment and competent knowledge were requisite. Whenever the town's rights were in question, or a bank, an insurance company, or a railroad seemed to be needed, his name always appeared conspicuously in connection with it; his townsmen always felt safe under his lead.

Though he had no taste for political life, yet he held very decided opinions on public questions, and was chosen a member of Congress; but after serving a single term, from 1815 to 1817, he declined a reëlection. Thrice at a later period he represented the town of Amherst in the state legislature, in 1823, 1838, and 1839.

He was appointed in 1822 by the legislature upon a commission to revise the Probate law of the State. John Harris of Hopkinton and James Bartlett of Dover were the other members, but it is understood that the work was mainly performed by Mr. Atherton. Their report constitutes the basis of that branch of the law as it has existed from that time to the present, and is a permanent memorial of Mr. Atherton's learning, ability, and judgment.

Mr. Atherton was a cultivated and scholarly man, and was called upon to address his fellow-citizens on many public occasions, upon topics of interest. In 1798 he pronounced an oration on Independence Day at Amherst; the next year a Masonic oration at Concord; in 1800 a eulogy on Washington at Amherst; in 1820 an address before the Hillsborough Agricultural Society at Weare, all of which were published. He had also much aptitude for historical and biographical studies, and became early a member of the New Hampshire Historical Society; delivered its annual address in 1831, was made vice-president in 1832 and 1833, and president in 1834 and the three following years. He contributed to the third volume of the Society's Collections valuable memoirs of Samuel Dana and Wyseman Clagett, and at a subsequent

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time prepared a biographical sketch of his father, Joshua Atherton, which was printed for circulation among his friends. Mr. Atherton's historical labors were recognized by the American Antiquarian Society, and by the Massachusetts Historical Society, of both which he was chosen an associate.

For a long period he was the acknowledged head of the bar in his county. In point of learning, acumen, and general ability, as well as diligence, sagacity, and the mastery of graceful and vigorous speech, he was fully entitled to the preëminence.

In his personal appearance, Mr. Atherton was a notable specimen of the gentleman of the old school. Erect, slender, dignified, and handsomely clad, with ruffled shirt, hanging watch-chain and seals, and all the other adornments of his station, at a time when the dress was a distinctive badge of the different classes of society, he was recognized at a glance as belonging to what might be called the patrician order, if such an order there be in our republic. He retained his sound mental and bodily powers until past the allotted age of man.

Mr. Atherton married, October 30, 1803, Mary Ann, daughter of Christopher Toppan of Hampton. She died in 1817. They had seven children, only two of whom survived him, his son, Charles G. Atherton, and a daughter, who outlived him but eight days.

JOSHUA ATHERTON.

Son of Peter and Experience (Wright) Atherton; born, Harvard, Massachusetts, June 20, 1737 ; Harvard College, 1762 ; admitted, 1765 ; practiced, Litchfield, Merrimac, and Amherst ; died, Amherst, April 3, 1809.

Mr. Atherton might probably have followed the calling of his father, who was a blacksmith, if his constitution had not been early shattered by a bilious fever, which led to his being educated for a profession. At the age of twenty he was placed under the tuition of Rev. Timothy Harrington of Lancaster, Massachusetts, and at twenty-one entered college. After his graduation he studied law first with Abel Willard of Lancaster, and afterwards with James Putnam of Worcester, Massachusetts, and was there admitted to the bar, and opened an office for a short time in Petersham, in the same county. In the fall of that year, however, he removed to Litchfield. He made two other changes of residence ;

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in 1768 to Merrimac, and in 1773 to Amherst, on receiving the appointment of register of Probate to the newly constituted county of Hillsborough.

He had already met with some success in his profession, but the stormy appearance of the political horizon boded little good to those of his sentiments. He was a staunch loyalist, as were many of the professional men, officials, and well-to-do people of mature years, of that time. Mr. Atherton was aristocratic in his feelings, high-tempered, and unyielding, and though advised by his fellow loyalists to quit the country, he refused to do so. No doubt he then believed the attempt at revolution would prove a failure; and it was not till after the capture of Burgoyne and the consequent alliance with France that he abandoned the expectation of seeing the rebellion crushed by the arms of Great Britain.

Meantime his opinions involved him in serious troubles. Immediately after the battle of Bunker Hill, the liberty boys surrounded his house, and marched him to a neighboring tavern, where they refreshed themselves bountifully at his expense. In 1777 he was apprehended and committed to jail in Exeter, upon the charge of being inimical to the liberties of America. He was subsequently allowed "the liberty of the yard," upon the ground that the air of the prison was injurious to his health. The next year he was arrested on suspicion of being concerned in counterfeiting the paper money of the State. This was an offense frequently imputed at that time to prominent loyalists. Men who were above being suspected of forgery for mere gain were thought capable of taking that method of throwing discredit upon the currency of the "rebels," in order to destroy confidence in the solvency and permanence of the governments set up in opposition to the Crown. The British officials in New York gave countenance to this view. Counterfeits of the paper currency issued by the Continental Congress were openly offered for sale there at the cost of paper and printing, upon the assumption that it was a legitimate mode of waging war to undermine the finances of the enemy.

Mr. Atherton was acquitted of the charge, and was liberated on giving bond with sureties that he would be a good and faithful subject of the State, etc.

In January, 1779, being by that time probably convinced that it was of no avail further to withstand the tide of public senti-

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ment, he took the oath of allegiance to the new government, and at the same time the attorney's oath, and was admitted to practice in the courts of the State. He soon apparently outgrew any prejudices caused by his loyalty to the Crown, and in 1783 was chosen as a delegate from Amherst to the convention to revise the Constitution of the State.

After the establishment of peace, the courts, which had been practically closed, were again opened, with accessions of new business. Mr. Atherton obtained his full share of it. There were plenty of suits to be brought and defended, and he was quite successful as an advocate, for though he hardly possessed the gift of eloquence, he was a ready and forcible speaker. About this time William Plumer, the elder, went into his office for a short time as a student. His experience there gives us an insight into the requirements of that time preliminary to the study of the law. Mr. Atherton, who had the best law library outside of Portsmouth, first put into his student's hands Coke upon Littleton, no easy reading for a tyro, all lawyers will admit. After three or four weeks of this regimen, he informed young Plumer that he must study Latin, so as to read Cicero in that language, before he could be fitted for the bar. The Latin grammar of that day proved too tough a morsel for poor Plumer, who soon turned his back on Amherst, and at a later day found a less discouraging entrance to the legal profession.

In 1788 Mr. Atherton was chosen as a delegate to the convention called to act upon the question of the adoption of the Constitution of the United States. The delegates were nearly equally divided in numbers, though not in ability, for most of the ablest speakers in the convention favored adoption, while Mr. Atherton was the chief of its opponents, and one of the few who had any skill in addressing a public assembly. He took a large share, therefore, in the debates, as the principal spokesman of his party, and naturally made himself obnoxious to the supporters of the Constitution. He habitually wore a cloak, which he was in the habit of folding about him when he rose to speak, and hence they styled him the "cloak orator." No doubt he rehearsed at full length all the arguments that the press had already presented against the ratification of the proposed Constitution; but he certainly struck the vulnerable point of the instrument, when he denounced it as sanctioning slavery and the traffic in human chat-

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tels, in the clause which put it out of the power of Congress to prohibit the slave trade until the year 1808.

Mr. Atherton was also a delegate to the convention called in 1791 to revise the state Constitution of 1783. It resulted in the improved and durable Constitution of 1792. In 1792 and 1793 he was chosen both a representative and senator, and accepted the latter election, but resigned his seat after the summer session of 1793, on being appointed Attorney-General of the State by Governor Josiah Bartlett.

In the year 1797, when he had reached the age of sixty, Mr. Atherton's health began to fail, by reason of an organic affection of the heart. He accepted, however, the appointment by President Adams of commissioner for the valuation of lands and buildings in Hillsborough County for the levy of a direct tax. This was found a most unpopular method of collecting a public revenue, and the law was soon repealed. He retained the office of Attorney-General till 1801, and upon his resignation of it, his son-in-law, William Gordon, was chosen in his stead.

This was about the close of his active life, although he survived to the age of seventy-three. The state of his health forbade him to attempt arduous business, but he had the satisfaction to see that his clients had recourse to the assistance of his son and his son-in-law. He continued social and hospitable to the last, and presided with grace over his well-covered table.

His wife was Abigail, daughter of Rev. Thomas Goss of Bolton, Massachusetts. They had a large family, and a son and six daughters outlived him.

DANIEL CLARK ATKINSON.

Son of Phineas and Phebe (Clark) Atkinson; born, Boscawen, September 8, 1785; Dartmouth College, 1806; admitted, 1809; practiced, Sanbornton; died there, April 5, 1842.

The father of Judge Atkinson was a farmer, who, discerning indications of superior intelligence in his son in childhood, placed him under the charge of Rev. Dr. Wood to be fitted for college. In due time he was entered at Hanover, and passed through the collegiate course with diligence and credit. He began to read law with Daniel Webster, it is believed, at Boscawen, but on Mr. Webster's removal to Portsmouth, he entered the office of Parker Noyes, and there finished his studies.

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The same year he settled in Sanbornton, first at the Square, and a few months later at the Bridge. He acquired a handsome business, built a large dwelling-house, bought mills, and became a prosperous and public-spirited citizen. He interested himself in the establishment of the academy, and in the various improvements of the village where he resided. He was chosen moderator of the town meetings six years, and was a member of the superintending school committee three years. In 1819 he was chosen a state senator, and in 1823 and 1824 one of the Executive Council.

December 20, 1824, he was commissioned Judge of Probate for the old county of Stafford, and continued in that office during the rest of his life. Though not what would be called eminent as a lawyer, his qualifications were highly respectable, and he discharged his official duties with credit and to the general satisfaction. Early in his professional life he was active and aspiring, and obtained a large share of the law business of his vicinity, but as he increased in years his zeal is said to have somewhat relaxed, and he was contented to lead an easier life. He was distinguished for his benevolent and charitable disposition, and was esteemed and respected by his neighbors and townsmen, as well as by his brethren of the profession.

Judge Atkinson married, in 1818, Mahala, daughter of Jeremiah Tilton of Sanbornton, who died in 1820. In 1828 he married for his second wife, Mehitable Tilton, her sister, who survived him. He left four children, a son and three daughters.

THEODORE ATKINSON.

Son of Theodore and Anne L. (Tufts) Atkinson; born, Madbury, October 14, 1818; practiced, Dover; died, Boston, Massachusetts, March, 1891.

Mr. Atkinson was a descendant of the old New Hampshire family of that name, and was born in the house of his grandfather, William K. Atkinson, on the corner of three towns, Dover, Madbury, and Durham. He was educated in the Dover Academy, and read law with John H. White in Dover, in which town he also passed his three or four years of practice, from about 1843 to 1847. He then changed his profession to that of a civil engineer, and in that capacity was employed in railroad surveys in Maine, Massachusetts, and in some of the Western States. His experience in railroads and like works extended over a period of more

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than twenty years, and resulted in his health being seriously affected by malaria.

Little remains to show his proficiency in the law, but he certainly had the readiness and sense of humor which are valuable allies to the practitioner.

There was in the older part of Dover a square called by the name of Washington, on one side of which were the offices of most of the members of the bar of the town, and on the other the margin of the river, where the fishermen used to land with their fares. On this Mr. Atkinson pronounced the following *jeu d'esprit:* —

> "In Washington square the lawyers abound,
> At the foot of the square the fish boats are found,
> Fly, honesty, fly to a safer retreat,
> For there 's craft in the river and craft in the street." [1]

Mr. Atkinson married, October 25, 1849, Martha P. H., daughter of Barnabas H. Palmer, and had two sons, one of whom outlived him.

CLINTON SPALDING AVERILL.

Son of Calvin and Eunice (Spalding) Averill; born, Milford, September 22, 1827; Norwich University, 1849; admitted, 1858; practiced, Milford; died there, December 18, 1891.

Before entering the military institution from which he graduated, Mr. Averill had attended the academies at Hancock and at Pembroke. For four years after taking his bachelor's degree he continued in the Norwich University as tutor and professor. His interest in education and his peculiar qualifications as an instructor would perhaps have led him to spend his life as a teacher, had not his impaired health warned him that he must seek a change.

He then entered the office of Oliver W. Lull of Milford, as a student at law. He did not at once attempt practice, upon receiving his certificate as an attorney, but in 1861, when the war of the Rebellion broke out, yielded to the desire of his *alma mater* that he should return thither to aid in giving the military instruction that was so widely and urgently called for by those who were eager to volunteer for the defense of the Union. This emergency

[1] If it should appear that this was not original, it was certainly well applied.

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having been met, he returned to Milford, and in 1862 opened his office there. His capacity for business and his agreeable manners enabled him soon to build up a considerable practice, not of the showy, but of the substantial, paying character. His interest in education never flagged, and he was made superintendent of schools in Milford for a number of years. Nashua in 1873 gave him the same office in that city, which he filled acceptably for two years. He was then chosen treasurer of the savings bank in Milford, of which he had been a trustee from its incorporation, and returned and made his home in that place, up to the time of his decease.

In 1882 he was chosen president of the Souhegan National Bank; and for twenty years he was the treasurer of the Unitarian Society. His integrity and uprightness were proverbial.

He was married, March 10, 1852, to Catharine F., daughter of Dr. James Hutchinson of Milford. She, with their only child, died a few years before him.

WILLIAM L. AVERY.

Born, Pittsford, Vermont, 1814; practiced, Laconia; died, Mount Clemens, Michigan, March 27, 1891.

The father of Mr. Avery was a Revolutionary soldier, who was with Washington at Valley Forge; his mother was a sister of Lyman B. Walker, Attorney-General of New Hampshire. Their son was reared in Brandon, Vermont, and while a little lad was a school-fellow of Stephen A. Douglas. At the age of eighteen he was principal of the large high school of Brandon. He studied for three professions: first, the ministry, next medicine, and finally the law, and when afterwards he was admitted to the Supreme Court of Illinois, it was done on the motion of Mr. Douglas. After some years' residence in Illinois, he removed in 1845 to Saratoga, New York, and was master in chancery and police Judge in that place. In 1852 he was living in New York city, prominent in politics, it is said, and president of one or more insurance companies.

It was about the year 1857 that he came to Laconia. In May, 1858, he was made register of Probate, and continued such for a little over three years. Soon after the expiration of his term of office, he was named by President Lincoln a member of

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a tribunal, composed also of commissioners from France and England, to decide questions connected with the slave trade, and proceeded to Cape Town, South Africa, and resided there five years. Then, returning to this country, he did not resume professional employment, but in 1868 was actively interested in railroad enterprises in the South, some of which were very profitable. He built a hotel and an opera house in Atlanta, Georgia. In the course of his operations he had occasion to pass some time in Europe.

In 1874 he went to the West. A severe attack of rheumatism in 1879 determined his future residence. Hearing of the virtues of the mineral springs at Mount Clemens, Michigan, in ailments like his own, he went thither, and was cured. He built the Avery House there, became the leading citizen, and was active in developing the place and popularizing the waters.

Judge Avery had the reputation of being a lawyer of ability and a forcible advocate. Those who knew him well considered his natural capacity to be of a very high order.

He married, in 1852, the only daughter of Lyman B. Walker of Laconia, and left one son.

SAMUEL HAZEN AYER.

Son of Samuel and Sarah (Connell) Ayer ; born, Portland, Maine, 1819 ; Bowdoin College, 1839 ; admitted, 1842 ; practiced, Hillsborough and Manchester ; died, Manchester, October 4, 1853.

The father of Mr. Ayer was a native of Concord and a brother of Richard H. Ayer. He was a physician, who practiced in Portland, and died in Eastport, Maine, leaving a widow and young children. They removed to Concord afterwards. Samuel was prepared for college at Burr Seminary in Vermont. There, and in college, he sustained a good reputation for scholarship, and though of an ardent temperament, was generally beloved by reason of his kindly nature.

He studied law in the office of Pierce and Fowler in Concord, and began practice in Hillsborough in 1842, succeeding to the office of Albert Baker, deceased. He speedily made himself known as a zealous, trustworthy, and successful lawyer, and business began to flow in upon him. For five successive years, beginning with 1845, the people of Hillsborough sent their young

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townsman to represent them in the state legislature. He took and maintained a conspicuous standing there, and was elected Speaker the last two years of his membership. In 1847 he was appointed solicitor for the county of Hillsborough, and acted to the time of his death. In 1852 he was placed upon the commission to revise the laws of the State, in connection with Ralph Metcalf and Calvin Ainsworth. Their report, when finally completed, was published in 1853 under the title of the "Compiled Statutes." To this work Mr. Ayer gave all the time he could take from his business, for many months. His constitution was slender, and could ill bear the long-continued strain of such engrossing and responsible occupation. Nothing but his resolute, courageous spirit would have kept him up under the pressure. It is not doubted that his premature death was the result of this overwork. He became liable to attacks which were relieved only by opium or some like narcotic, and it is apprehended that he might unwittingly have taken an overdose; for soon after the task of revision was completed he was found one morning insensible in his bed, and died before night, of congestion of the brain.

Few men at the early age of thirty-three had attained so commanding a position as he. His prospects of future distinction were apparently unclouded, and the delicacy of his constitution was scarcely realized, so great were his hopefulness and courage. He had endeared himself to a wide circle of companions by his engaging qualities, and it was with disappointment and sadness that they saw his sun go down at noon.

NATHAN GODFREY BABBITT.

Son of Dr. Nathan and Anna (Newcomb) Babbitt; born, Norton, Massachusetts, February 12, 1787; Middlebury College, 1811; practiced, Westmoreland and Walpole; died, Beloit, Wisconsin, March 11, 1867.

Mr. Babbitt's father acted as a surgeon in the American Revolution, and his mother was related to Judge Daniel Newcomb of Keene. He came with his parents to Westmoreland as early as 1790. After his graduation from college he read law with Henry Hubbard of Charlestown, and began practice in Westmoreland. There he continued for about forty years, interrupting his residence by a stay of three or four years in Walpole about 1850. He was selectman of Westmoreland in 1828, and town clerk

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1843 to 1845; and in Walpole he held the office of postmaster three years.

From January 17, 1842, until 1855, he was a county Judge of the Court of Common Pleas. He was a zealous member of the Masonic fraternity, and for several years officiated in the Grand Lodge of the State. He is said to have been a friend and associate of Judge Joel Parker of Keene.

At the age of seventy Judge Babbitt quitted Westmoreland and went to Beloit, Wisconsin, to spend his last years with his son, Clinton Babbitt, a member of the United States Congress. As he took his final kindly look at the village which had so long been his home, he repeated: —

> "Farewell, friends; farewell, foes!
> My love with these; my peace with those!"

His declining years were passed very happily in his new home. He was elected a member of the city council of Beloit, and formed fresh friendships. It was a matter of course that he connected himself with the Masonic associations; and when he died, at the age of fourscore years, he was borne to his rest by the hands of his brethren of the mystic tie.

His wife was Eunice, daughter of Edmund Brewster of Westmoreland. They had three children.

STEPHEN COLBY BADGER.

Son of Benjamin and Naomi (Colby) Badger; born, Warner, April 12, 1797; Dartmouth College, 1823; admitted, 1826; practiced, New London and Concord; died, Concord, October 29, 1872.

The father of Mr. Badger was a forehanded farmer, and his son labored upon the soil until he was about twenty. His health then suffering from over exertion, as was supposed, he resolved upon a college education, and prepared himself under Rev. Dr. Wood of Boscawen and at Kimball Union Academy. For mathematics he evinced a special liking. He pursued the study of the law under Henry B. Chase at Warner, and set up in business as an attorney and land surveyor in New London in 1826. After eight years' experience he removed to Concord, and accepted the appointment of clerk of the courts for the county of Merrimac. In 1846 he returned to the general practice of his profession, combining with it the occupation of a practical and scientific engineer.

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In 1857 he was constituted Judge of the Police Court of Concord, and officiated as such for the succeeding ten years, till he reached the age of seventy. For a time he held also the appointment of pension agent. In the several public employments in which a large share of his life was passed, he maintained a high character for honesty and faithful attention to duty.

He was united in marriage in June, 1830, to Sophronia W., daughter of Benjamin Evans of Warner. He left two sons, the elder of whom, Benjamin E. Badger, is a practicing lawyer in Concord.

DAVID H. BAILEY.

Son of Jesse and Sarah (Philbrick) Bailey; born, Weare, January 10, 1790; Middlebury College, 1814; practiced, Unity; died Weare, 1875.

After his graduation in 1814, Mr. Bailey was a student at law with Levi Woodbury in Francestown; and about 1818 opened an office in Unity. He made there a stay of only two years, when he took his departure to Rochester, New York, where he tarried an equal length of time, and then lived eleven years in Oswego in the same State. In 1838 he returned to his native town, but did not resume, to any extent, the active practice of his profession.

His wife was Sabra, daughter of Joseph Philbrick of Weare, who died the year before him. Their marriage took place in 1820, and they had six children.

FREDERIC WILLIAM BAILEY.

Son of Captain Edward and Sarah (Hayden) Bailey; born, Jaffrey, August 15, 1838; Dartmouth College, 1862; admitted, 1865; practiced, Jaffrey; died, Keene, April 27, 1870.

Mr. Bailey was prepared for college at the Appleton Academy in New Ipswich. After his graduation he was preceptor of the Richmond Academy, Maine, for a year, and then prosecuted his law studies in the office of Wheeler and Faulkner in Keene, and in the Law School at Albany, New York, until his admission. In 1864 and 1865 he was a representative from Jaffrey in the legislature. In 1866 he began practice in (East) Jaffrey, and remained there till 1870, when he removed to Keene, but had

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scarcely got settled in his new home when he was attacked by diphtheria, which speedily proved fatal.

He was a young man of much promise, and his friends predicted for him a career of distinction, had his life been prolonged.

His wife, to whom he was united September 2, 1866, was Mary Perkins of Jaffrey, and they had one daughter.

LAWRENCE DUDLEY BAILEY.

Son of Dudley and Sarah (Woodman) Bailey ; born, Sutton, August 26, 1819 ; admitted, 1846 ; practiced, Washington, Milford, and Bradford ; died, Lawrence, Kansas, October 15, 1891.

Mr. Bailey worked upon his father's farm until the age of seventeen, and then, after acquiring an academical education, commenced the study of the law with Weare Tappan and Mason W. Tappan of Bradford, from whom he undoubtedly adopted, or at least intensified, the free-soil sentiments which influenced his subsequent course. His professional studies completed, he went into practice for a few months at East Washington, and then in March, 1847, at Milford, as a partner of S. K. Livermore. His talents and genial disposition gave him popularity, and he stayed in Milford until 1849, at which time he became one of the numerous throng of adventurers to California. In 1853 he returned to this State, and formed a partnership with Mason W. Tappan at Bradford. In March, 1857, he went to Kansas, and opened a law office near Emporia, and was elected to the legislature the two years following. Under the new free-soil Constitution he was chosen a Judge of the Supreme Court, and in 1862 re-chosen for a term of six years. In 1869 he was again a member of the legislature.

He was much interested in the material development of Kansas, was prominent in the organization of the first Board of Agriculture ; for a time was editor and publisher of the "Cultivator and Herdsman," and was long a contributor to the newspaper press. In his later life he occupied a farm.

Judge Bailey was in Kansas at the critical point of the destiny of that Territory, and was conspicuous in his efforts to rescue it from the blight of slavery ; and this not without personal risk, for being in Lawrence when it was sacked by the "border ruffians," he narrowly escaped with his life by swimming the Kansas

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River in the night. His career was filled with adventure and variety, and he is entitled to high credit for his steady and consistent opposition to the extension of slavery, and his important agency in securing the public domain to the area of freedom.

He married Mrs. Elizabeth A. Peabody of Lawrence, Kansas, December 15, 1870, who survived him.

ALBERT BAKER.

Son of Mark and Abigail (Ambrose) Baker; born, Bow, February 5, 1810; Dartmouth College, 1834; admitted, 1837; practiced, Hillsborough; died there, October 17, 1841.

Albert Baker, though he died in early manhood, had already made his mark in law and in politics. He was fitted for college at Pembroke Academy under Master John Vose. His legal studies were directed by Franklin Pierce, then of Hillsborough, and by Richard Fletcher of Boston, Massachusetts; and he was admitted to the bar of Suffolk County in April, 1837. He established himself in practice in Hillsborough as successor to Mr. Pierce, and soon took a leading position as a lawyer and a politician.

In college he was an excellent scholar, and persistent to the extent of sometimes defending his own opinions in the recitation-room, against the doctrines of the professors. As a lawyer he was well-read, sharp in making points, and unyielding in maintaining them. He was a good advocate. But he is said to have begun on the mistaken principle of bringing suits whenever clients desired it, whatever might be his own opinion on the subject, and the consequence was that after his early death, it was found that he had a large number of actions upon the docket which had to be discontinued.

He carried his pertinacious and combative disposition into political life. He was the most radical of Democrats. He spoke well and forcibly in the state legislature, of which he was a member in 1839, 1840, and 1841, and, young as he was, was an acknowledged party leader at the time of his decease.

Mr. Baker was said to have been a great user of tobacco, which perhaps sapped his strength, so that he became an easier prey to disease. He never married.

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NATHANIEL BRADLEY BAKER.

Son of Abel and Nancy (Bradley) Baker; born, Henniker, September 29, 1818; Harvard College, 1839; admitted, 1842; practiced, Concord; died Des Moines, Iowa, September 12, 1876.

One of the most popular men that New Hampshire has ever produced was Nathaniel B. Baker. Of fine physique, engaging manners, and thoroughly kind heart, he had not an enemy even among his political opponents.

He received his education at Phillips Exeter Academy in 1834 and 1835, at Dartmouth College, and at Harvard College, where he graduated. He then turned his attention to the study of the law in the office of Pierce and Fowler in Concord, but in 1841, before completing his legal reading, became the joint proprietor with H. H. Carroll of the New Hampshire "Patriot," the leading Democratic newspaper of the State, at Concord. His connection with the paper continued about two years. In the mean time, in 1842, he had completed his law studies, with Charles H. Peaslee of Concord. Three years after his admission to the bar he was made clerk of the courts in Merrimac County. That post he resigned in 1852, and resumed the practice of the law in company with Francis B. Peabody at Concord.

Meantime his popularity naturally bore him into the front ranks of his party, as a candidate for political honors. He was elected to the state legislature in 1850, and was chosen Speaker of the House, an unusual honor to a new member, indicating the high estimation in which his abilities were held. He was familiar with the mode of proceeding of the body over which he was called to preside, having acted as reporter thereof, while he was connected with the New Hampshire "Patriot;" and he fully met the expectation of his most sanguine supporters by the readiness, accuracy, and impartiality with which he discharged the duties of the chair. The next year his party could hardly boast of a clear majority, either in Concord or in the House; yet he was again chosen, the sole representative from Concord, and Speaker for the second time.

In 1854 he was nominated for the governorship of the State, and was elected, though by less than a thousand majority. The year after, he was renominated, but his popularity was neutralized

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by the political changes which had come over the State, and which united men of various shades of opinion in the support of what was called the American ticket; and Governor Baker failed of a reëlection. But he probably received more votes than any other man of his party would have had.

In 1855 Governor Baker was attracted to the West by the offer of the attorneyship of an important railroad, and changed his home to Clinton, Iowa. His popularity followed him there. He represented his county in the legislature of Iowa in 1860 and 1861. When the Southern Rebellion broke out, being a thorough Union man, he was at once chosen Adjutant-General of the State. His activity and energy, his devotion to his country's cause, his sound good sense and thorough comprehension of his duties, and his honorable and impartial treatment of officers and soldiers and all men with whom he had to deal, rendered him one of the most useful of the many excellent adjutant-generals of the States. He was retained in the office up to the hour of his death.

He was married in May, 1843, to Lucy C., daughter of Rev. Petrus S. Tenbroeck, rector of the Episcopal Church in Concord, and left several children.

THOMAS BANCROFT.

Son of Deacon Nathaniel and Mary (Taylor) Bancroft; born, Lynnfield, Massachusetts, November 14, 1765; Harvard College, 1788; practiced, Rochester; died, Canton, China, November 15, 1807.

This gentleman's residence in New Hampshire was transitory. He probably fitted himself for his profession in Massachusetts, and made his appearance in Rochester about the year 1794, and remained there as a legal practitioner for a year or two, at most. Probably finding the field a very unprofitable one, he then withdrew to Salem, Massachusetts, and became master of the grammar school there. He afterwards had the appointment of clerk of the courts in Salem for several years. After resigning that place he went to sea as supercargo of the ship Hercules, and died at the end of his outward voyage.

He was married, November 10, 1797, to Elizabeth Ives, daughter of Robert Hale and Sarah (Bray) Ives, of Beverly, Massachusetts; and had two sons who survived him.

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EVERETT COLBY BANFIELD.

Son of Rev. Joseph and Elizabeth (Chapman) Banfield ; born, Wolfeborough, September 19, 1828 ; Harvard College, 1850 ; practiced, Wolfeborough ; died, New York city, November 12, 1887.

Mr. Banfield was educated at Phillips Exeter Academy and Harvard College, and studied his profession with Nathan Clifford in Portland, Maine, and with John P. Healy in Boston, Massachusetts. He received his license to practice in Boston, and continued there from 1853 to 1866, and then removed to New York on being appointed to a position in the law division of the United States custom house in that city. After three years he was appointed solicitor of the United States Treasury at Washington, District of Columbia, and acted as such from 1869 to 1874. In the last-named year he was retained as the attorney of the Pacific Mail Company of San Francisco, California, and filled that position for a year. A partial failure of his health caused him to withdraw from this employment, and he returned to his native town on Lake Winnepesaukee.

After a rest of a year or two he opened an office in Wolfeborough, but never engaged very largely in practice there. He was particularly active in organizing the high school in Wolfeborough.

Mr. Banfield is represented as possessed of marked ability and intellectual cultivation. Never content with what he had already accomplished, he was continually striving throughout his life to enrich his mind with further acquisitions. In his person and manners he was peculiarly attractive; he was esteemed by his townsmen, and in his family relations was especially beloved.

He married Anne S., daughter of Professor N. W. Fiske of Amherst, Massachusetts, October 28, 1854. She and their six children survived him.

DAVID BARKER.

Son of Colonel David and Ann F. (Simpson) Barker; born, Stratham, January 8, 1797 ; Harvard College, 1815 ; admitted, 1819 ; practiced, Rochester ; died there, April 1, 1834.

The father of Mr. Barker, shortly after the birth of this his eldest son, changed his residence permanently to Rochester.

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David, the son, was transferred from the school of that town to the Phillips Exeter Academy, and thence to college, from which he graduated at eighteen. He qualified himself for the bar in the office of John P. Hale of Rochester, and opened his own office there in 1819. He was an accomplished scholar and a well-instructed lawyer, with remarkable maturity of judgment, an agreeable disposition, a habit of promptitude, and integrity unsullied.

In 1823 he was chosen a representative to the General Court, and rechosen in 1825 and 1826. Though of well-defined opinions, he was not a mere partisan in politics, but rather independent in some of his views and actions. In 1827 he was elected to the United States Congress. There he manifested an intimate knowledge of the political history of the country and a thorough acquaintance with the questions at issue between the parties, and made himself known as a legislator of enlarged views and marked ability. When the next election came round, however, the old party lines had so far changed in the State that the entire congressional delegation were replaced by new men. Mr. Barker returned to his legal practice and his usefulness as a private citizen.

It was not long afterwards that he began to perceive indications of failure of his bodily health. He was not disquieted, however, but kept about his business, and maintained his equanimity and cheerfulness until he saw the last of earth. He had a clear conscience, and was a firm believer in the Christian religion.

He took in marriage, October 1, 1823, Mary, daughter of Nathaniel Upham of Rochester. She survived him, with their two children.

DANIEL BARNARD.

Son of Thomas and Phebe (Eastman) Barnard ; born, Orange, January 23, 1827 ; admitted, 1854 ; practiced, Franklin ; died there, January 10, 1892.

The farm on which Mr. Barnard was born and passed his youth was distant three miles from the district school. His parents, however, contrived that he should get as much schooling as was possible, and supplemented it by their own instruction in the evenings.

At the age of seventeen he resolved on a collegiate education, and labored on the farm and taught school to pay the expenses of his preparation.

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His plan of study was interrupted by his being sent as a representative to the legislature, by his townsmen, as soon as he attained his majority, and for four years in succession. Though the youngest member, he manifested such sagacity and legislative talent that he became a leading man in the House. In 1851 he gave up the idea of college, and became a student of the law with George W. Nesmith and Austin F. Pike of Franklin, and in three years was duly admitted to the bar, and to a partnership with Mr. Pike, Mr. Nesmith retiring from practice. Mr. Barnard's business was large and widely extended; he attended the courts in Merrimac and Belknap counties, and the Plymouth sessions in Grafton County, besides the federal tribunals in the State.

In 1860 and 1862 he was a representative of Franklin in the General Court; in 1865 and 1866 a state senator, and the latter year president of the Senate; and in 1870 and 1871 a member of the Executive Council. From 1867 to 1872 he was solicitor of Merrimac County, and he declined a reappointment in 1872, and again in 1877. In 1887 he was appointed Attorney-General of the State, and that office he filled to the hour of his death. He left no duty of all these official trusts undone or ill done. His labors as Attorney-General were protracted and exhausting, especially in the prosecutions of Sawtelle and of Almy each for murder, and possibly weakened his powers of resistance to the malady which terminated his life.

Mr. Barnard's amiable disposition and frank and honorable character attached his brethren of the bar very strongly to him, and made him friends throughout the community. One who knew him thoroughly, and appreciated his merits, happily described one of his leading characteristics in the phrase, "There was nothing *sinister* about him."

He had abundant technical learning and skill; was an industrious worker, grudging no time or labor to the complete performance of his professional or official duties; a judicious adviser alike in legal and in ordinary affairs; a master of terse and convincing speech before a popular assembly, a legislative body, or as an advocate in the court-room. He was a trustee of the Franklin Library Association and of the Savings Bank, and president of the Franklin National Bank. The degree of Master of Arts from Dartmouth College in 1867 was a deserved tribute to his attainments and character.

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His home was to him the happiest of all places, and he was fortunate in his domestic relations. He was married, November 8, 1854, to Amelia, daughter of Rev. William Morse of Chelmsford, Massachusetts. Of their four sons, two became lawyers; and there were two daughters.

LEVI BARNARD.

Son of Dr. John Barnard; born, Boston, Massachusetts, 1772?; practiced, Lancaster; died there, October 12, 1832.

Mr. Barnard was fitted for, and for a time was a student in, Harvard College, but did not complete his course. He commenced the practice of the law in Lunenburg, Vermont, and represented that town in the General Assembly in 1803 and 1810. He was afterwards settled in Concord, Vermont. In 1820 he transferred his home to Lancaster, where he lived ever after. He is described by one who remembers him, as an accomplished gentleman, and rather distinguished as an advocate; very precise, and with the manners, habits, and dress of the olden time. He argued causes in court with fluency and ease, but excelled in rhetoric rather than in logic.

In some of his business operations he was not altogether fortunate, and he never acquired an extensive practice after his removal to Lancaster.

He married, in 1805, Lucy, daughter of Dr. William Page of Rockingham, Vermont, formerly a well-known citizen of Charlestown. They had a son and three daughters.

WILLIAM MORSE BARNARD.

Son of Hon. Daniel and Amelia (Morse) Barnard; born, Franklin, January 10, 1856; Dartmouth College, 1876; admitted, 1879; practiced, Franklin; died there, April 15, 1886.

A career of high promise was cut short by the early death of William M. Barnard. With a thorough education obtained at the Phillips Exeter Academy and Dartmouth College, supplemented by a careful legal training in the office of his father and at the Boston Law School, he was completely equipped for his chosen profession; while his natural abilities enabled him to make the best use of his acquirements. He entered at once into

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company with his father in his practice, and by his youthful energy and ready apprehension became a power in the office, and made his influence felt and respected. His father treated him in their business on equal terms. Young Mr. Barnard had already, at the age of thirty, made his mark at the bar.

His friends were numerous, and strongly attached to him. In his town, where the political majority was against him, he was chosen repeatedly to local offices, for which his qualifications were of the best. A year before his decease he was prostrated by severe illness, from which he never fully regained his strength. Upon a relapse, he sank rapidly, until death put a period to his earthly prospects and labors.

ISAAC ORR BARNES.

Son of Nathan and Anna (Remick) Barnes ; born, Bedford, June 12, 1798 ; Middlebury College, 1818 ; practiced, Barnstead ; died, Boston, Massachusetts, January, 1864.

This gentleman, who was better known as a politician and humorist than as a devotee of the law, was one of the nine children of a farmer. He prepared himself for college at the academy in New Ipswich. One year after his graduation he spent in teaching the academy at Francestown, and then became a law student in the office of Titus Brown of the same town, receiving his certificate as an attorney in 1822.

He first became a practicing lawyer at Barnstead. He is described as "a pretty good lawyer *when he would attend to business*," and as one "who could enjoy a joke even at the expense of his own political party." He had small liking for the law, but a genuine proclivity towards political life. Nine years of practice in Barnstead sufficed him ; in 1831 he went to Lowell, and, two years after, to Boston, Massachusetts.

In March, 1835, while his brother-in-law, Levi Woodbury, was a member of the national Cabinet, Mr. Barnes was made naval officer of the port of Boston, and retained till 1841. Most of the remainder of his life was spent in public office. In 1845 he became United States Marshal for the district of Massachusetts ; in 1849 clerk of the Circuit Court ; in 1853 Pension Agent at Boston until his decease.

Of Colonel Barnes's wit and humor many anecdotes are related.

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The manners of the people of Barnstead, during his sojourn there, were rather primitive, and his neighbors, as he complained, were in the habit of borrowing his *boots*, to wear on great occasions. He had no objection to lending them to those whose feet were of ordinary dimensions; but the majority of the borrowers had large feet, and so his boots got ruined. He adopted the expedient, therefore, he said, of having a strong pair made on purpose to lend, — large enough for the megapods, — and in that way saved his credit, and his personal boots for his own wear.

After Jackson's famous "removal of the deposits," various "pet banks," as they were called, sprang up in our principal cities. Of one of these, the Lafayette of Boston, Barnes was made president. Like many others of the same class, it soon found itself in difficulties, and its assets were discovered to be largely composed of worthless paper. An official investigation of the affairs of the bank was ordered. The officer called on the bank president. "Well," said Barnes, in his high falsetto voice, "I hope *you* may be able to find some property belonging to the bank, for I assure you *I* cannot."

The last *mot* which is credited to this inveterate joker was uttered while he was upon his death-bed. He was visited by his physician, who tried to say something encouraging. He found the sick man's extremities were warm, and remarked cheerfully, "Your feet are warm; that is an excellent symptom; no man ever died with warm feet." "How was it with John Rogers the martyr?" was the response.

Mr. Barnes was married about 1826 to Hannah T., daughter of Hon. Peter Woodbury of Francestown. He left no descendants.

ROYAL DEXTER BARNES.

Son of Warren M. and Mary (Blodgett) Barnes; born, Northfield, Massachusetts, June 18, 1854; admitted, 1878; practiced, Nashua; died there, August 29, 1891.

Mr. Barnes was educated at the McCollom Institute in Mount Vernon, and the Literary Institute in Nashua, and read law in the same city with George Y. Sawyer. He was chosen city solicitor of Nashua in 1880 and the three following years, and acquired a fair practice, both civil and criminal. Without extraordinary legal qualifications, he was active, self-confident, and

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energetic. He might probably have acquired position at the bar, if he had been steady and industrious. But his habits of dissipation were an insuperable obstacle to his progress, and led at length to his death by his own hand.

He married, March 13, 1878, Idella E. Prescott, at Nashua. She with their three children outlived him.

WILLIAM BARRETT.

Son of Zimri and Persis (Batchelder) Barrett; born, Wilton, July 2, 1836; Harvard College, 1859; admitted, 1861; practiced, Nashua; died, St. Paul, Minnesota, September 14, 1888.

Mr. Barrett began the study of the law in 1859, with Aaron P. Hughes of Nashua, and afterwards attended lectures at the Harvard Law School. He decided to try his fortune at practice in Nashua. He was chosen city solicitor, and to several other local offices. In 1871 the position of solicitor for Hillsborough County was given him. Two trials for murder occurred during his five years' occupancy of the office, one of which, the "Major case," was especially difficult and keenly contested, and in that he secured a conviction. Mr. Barrett was a man of popular manners and superior intellectual capacity, and made many friends.

About the year 1873 he quitted Nashua, in some embarrassment it was said, and removed to St. Paul, Minnesota. He is reported to have won a fine position in that city as a lawyer and a citizen. He was appointed chairman of the Board of Public Works, and was greatly esteemed. His death was sudden and unexpected.

Mr. Barrett was a zealous Freemason, and had been the Grand Master in New Hampshire and attained high rank in other Masonic bodies.

He was the author of a Genealogy of the descendants of Thomas Barrett, Sr., of Braintree, Massachusetts, published at St. Paul, Minnesota, in 1888, a work apparently of research and value.

Mr. Barrett married Sarah E., daughter of Christopher Page of Nashua, who with a son and daughter survived him.

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GEORGE BARSTOW.

Son of William and Abigail (Townsend) Barstow ; born, Haverhill, June 19, 1812 ; Dartmouth College, 1835 ; practiced, Hillsborough and Manchester ; died, San Francisco, California, September 9, 1883.

Mr. Barstow was fitted for college at the academy in his native town, and at Peacham, Vermont. He entered the class of 1835, of Dartmouth College, but did not graduate in course. During the years 1835 and 1836 he was principal of the academy at Yarmouth Port, Massachusetts, and the next three years he spent in the study of the law in the office of Robert Rantoul, Jr., in Boston. There he was admitted, and practiced from 1839 to 1844. He then removed to Hillsborough in this State for a year, and then to Manchester, and devoted himself to his profession for about four years with much success.

He had already brought himself into public notice by the composition of a History of New Hampshire, first issued in Concord in 1842. It was a work of some ability, though immature, and written with evident bias ; it reached a second edition in 1851.

Parts of the years 1849 and 1850 he spent in travel in Europe, and on his return he fixed his residence in New York city. After about eight years there, he turned his face towards California. Planting himself in San Francisco, he soon achieved a reputation in the judicial courts and in the legislature of the State. He was a member of the House of Representatives as a pronounced Union man, in the exciting years of 1861 and 1862, and the latter year was Speaker. He was again a representative in 1878. For the two or three years before 1860 he was professor of medical jurisprudence in the University of the Pacific. He was also president of the Young Men's Christian Association in San Francisco.

Mr. Barstow was successful in his profession, and made himself useful and respected in California. He gave his legal knowledge and financial assistance to many of the local charities, and was a frequent contributor to the press on topics of public importance. Some of his articles in the journals, and in pamphlet form, are said to have had a wide and salutary influence.

Mr. Barstow's wife was Emily E., daughter of John Shepley of Saco, Maine. She survived him, and he left no children.

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ENOCH BARTLETT.

Son of Hon. Bradbury and Polly (True) Bartlett ; born, Nottingham, March 15, 1819 ; practiced, Epping ; died, Nottingham, June 27, 1855.

Mr. Bartlett's education was obtained at the academies of Hampton and Derry, and he was several years a school-teacher before he entered upon the study of the law, in the office of William W. Stickney of Newmarket. He opened an office in Epping in 1845, and practiced there two years in company with James McMurphy, doing a business of considerable extent. After the decease of his partner in 1847, he removed to Lawrence, Massachusetts, then rapidly growing into importance, and commenced practice there, with success. In 1852 he was a representative to the General Court, and in 1853 was elected the second mayor of the newly created city. He gave up his practice, and devoted his attention assiduously to the duties of this post, probably to the detriment of his health. He had repeated attacks of illness afterwards, and never resumed practice.

In the spring of 1855 he returned to his native air, but the disease had made too much progress to be then arrested.

He was a man of quick perceptions, good intellectual ability, energetic habits, and agreeable and popular manners.

He was married to B. Jane, daughter of Joseph C. Plumer, Esquire, of Epping, who with one daughter survived him.

GREENLEAF CILLEY BARTLETT.

Son of David and Susan (Cilley) Bartlett ; born, Nottingham, May 7, 1822 ; practiced, Salem and Derry ; died, Derry, April 10, 1893.

Mr. Bartlett has been truly styled a self-made man. Indebted to no famous seminary of learning, he, like the typical New England country boy, obtained his instruction in the common schools. He early discovered an inclination to be a lawyer, and when he attained the age of twenty-five the wish of his youth was realized, and he began to practice in his own office in Salem. After eight years there he moved to Derry. He represented that town in the legislature of 1866.

He was successful in his chosen profession. He kept his eyes open, and was a diligent worker. His counsel was much sought

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and relied on. He gave no opinion until he had thoroughly investigated the law and the facts. Having once satisfied himself of the proper course, he pursued it with the persistency of a sleuth-hound. He tried causes in the courts with strength and skill, and addressed the jury forcibly. Sometimes in contention he appeared stubborn and blunt of speech; but he had a kind heart, and in private life was genial and agreeable. He was something of an antiquary, and gathered books and other relics of bygone generations. He labored in his vocation up to the last day of his life.

He married Charlotte J. Kelley of Salem, May 4, 1854. They had five children, of whom one was brought up to his father's profession.

ICHABOD BARTLETT.

Son of Dr. Joseph and Hannah (Colcord) Bartlett; born, Salisbury, July 24, 1786; Dartmouth College, 1808; admitted, 1812; practiced, Durham and Portsmouth; died, Portsmouth, October 19, 1853.

Among the many able lawyers in the earlier part of the century, Ichabod Bartlett was one of the very foremost. He studied his profession with Moses Eastman and Parker Noyes of Salisbury. He was in practice in Durham for about six years, and then made his permanent home in Portsmouth. A lawyer of his education and calibre could not long continue briefless, and he seems almost at once to have stepped into a practice of the best class. Only five years after his admission to the bar he was employed as counsel with George Sullivan in the Dartmouth College cases, against Jeremiah Smith, Jeremiah Mason, and Daniel Webster.

Mr. Bartlett won his spurs in a field, and against competitors, that no second-rate man could have faced. He was continually pitted against the leaders of the then renowned Rockingham bar. He was not so learned as Mason or Smith, he had not the mellifluous flow of Sullivan's oratory, nor the titanic intellect of Webster; but he possessed a sufficiency of learning and of logical power, and an adroitness, a dexterity, a readiness, all his own, and an eloquence of the most effective character. His courage and tenacity were quite as remarkable as his other qualities.

Thus equipped, he was a formidable man to meet. For more

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than thirty years he stood among the very first practitioners in New Hampshire, and was retained in a good proportion of the causes where much was at stake. For a considerable part of that time he "traveled the circuit" with the judges, attending the successive terms of the court from Rockingham through to Grafton County. His diligence while on the circuit was untiring; he studied and prepared his causes with the utmost care; his days were given to trials in the court-room, and at night he laid out his work for the morrow. His best powers and exertions were given to his clients, and no one had ever occasion to reproach him with negligence or unfaithfulness. But when the circuit was ended, and the work that resulted from it was over, he felt himself at liberty to indulge, like Counselor Pleydell, in "high jinks," or the American equivalent of that diversion. His practice as a counselor, indeed, was probably quite secondary to his business in court.

Mr. Bartlett held in the course of his life many official positions. He was clerk of the state Senate in 1817 and 1818; representative in the legislature from Portsmouth in 1819, 1820, and 1821, in which last year he was elected Speaker; again representative in 1830, 1838, 1851, and 1852; and delegate to the state constitutional convention in 1850. He was appointed solicitor for the county of Rockingham in November, 1818, and held the office about three years; in 1822 he was chosen representative in Congress, and retained his seat for three successive terms.

It was during his first term in Congress that he had his famous collision with Henry Clay. In point of talents and parliamentary experience Mr. Clay was one of the strongest men in Congress, and when he found a new and comparatively unknown member boldly setting up an opinion adverse to *his* decree, he attempted to brush him out of the way with the rough side of his tongue. But Mr. Bartlett had abundant spirit, and was no novice in a conflict of wits, and in the encounter with Mr. Clay was adjudged not to have come off second best. The great Kentuckian was not accustomed to such treatment, and was very indignant at it. Mr. Bartlett was warned to be on his guard against an attack elsewhere with weapons more fatal than words, and went armed accordingly. He was also given to understand that if he would wait after the adjournment of Congress, he would receive a message

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from Mr. Clay such as was then "customary among gentlemen." Mr. Bartlett remained in Washington for three days, but no message came. Evidently his antagonist had become cooler and wiser by reflection. The affair, however, demonstrated the spirit and pluck of the representative of the Granite State.

Upon Mr. Bartlett's return from Congress, he resumed his practice with his accustomed energy. His experience as solicitor gave him familiarity with the criminal law, and besides his civil business he was called upon to conduct the defense in several capital cases. His argument for the prisoner in *State* v. *Ferguson* is said to have been one of the most powerful that he ever uttered. The case of Abraham Prescott, charged with murder, strongly enlisted his feelings, for he was convinced that the accused was irresponsible by reason of mental alienation. The indictment was twice tried, and the appeal which Mr. Bartlett made to the jury would at this day have consigned the accused to an insane asylum instead of the gallows; but the subject of insanity as a branch of medical jurisprudence was then in its infancy.

His arguments were never long; he did not think it necessary to elaborate any but the great points of his case. He had the art of condensing, — a rare accomplishment in an off-hand speaker. He made every epithet tell, and contrived to get the sympathy of the jury from the start.

An instance indicates how skillfully he could turn the tables upon his adversary by a word. In a cause which he tried before a jury, without result, his principal witness was a man bearing the patronymic of Leathers, — a name of peculiar unfragrance in New Hampshire. Mr. Bartlett being of the opinion, not without reason, that the witness's statements would be more readily credited if he were not handicapped by a bad name, in anticipation of another trial was instrumental in procuring for him the new appellative of Smith, by an act of the legislature. Meantime the other party was not idle, but tampered with the same witness with complete success. So when the cause came again before the jury, and Mr. Bartlett called his witness by his newly obtained designation of Smith, he found that his testimony had undergone as radical a change as his name. After putting the witness through his paces sufficiently to understand the nature of the transformation, Mr. Bartlett said, in a tone that conveyed his contempt to every ear in the court-room, "You may step down and out, *Mr. Leathers*, we want nothing more of *you!*"

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Mr. Bartlett was quick to denounce anything like fraud or dishonesty, in whatsoever quarter it appeared. He was once employed to bring an action on some promissory notes which the testimony produced by the defendant proved to be tainted by illegality of consideration, as they were given to suppress a prosecution for forgery. Indignant that by the rascality and silence of his client he had been put into the attitude of attempting to enforce an odious claim, Mr. Bartlett flung his papers upon the table, in open court, and with the remark that "he trusted the Court would do him the justice to believe that he had before no suspicion of the real circumstances of the case," he abandoned his client to his fate.

Though he could be severe upon occasion, few men possessed more winning traits of character than Mr. Bartlett. The younger members of his profession, especially, entertained for him the highest admiration and regard. He made it a point to notice them and address them, especially in company, where their diffidence would have kept them silent. He was always ready to help them in court, when they were at a loss, and to supply the key to unlock the difficulty. The writer remembers an occurrence of this kind, at a law term, where a young and modest practitioner was making his maiden speech. Some member of the Court, forgetting that an interruption might embarrass the beginner, chopped in upon him with a hard question. The poor fellow blushed and stood speechless. Mr. Bartlett quietly whispered to him an answer that satisfied his interlocutor, and restored the young man to his self-possession. *He* never forgot the kind act, we may be sure.

In his public speeches he had a fashion, when he wished to lay particular emphasis upon a word, of pausing an instant before pronouncing it. One of the elders of the bar described this process as "*poising* his word before he launched it." It seemed as if he were hesitating in the choice of his expression, and that he always picked out the fittest. But in fact the man never hesitated. His powers were always on the alert. If he had had hours for deliberation he could not have done or said the right thing at the right moment more uniformly than he did without a moment's forethought.

One day a brother lawyer was handed a villainous-looking letter in Mr. Bartlett's presence. "That letter must have come

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from the jail," said Mr. Bartlett; "I have received a good many such looking ones from there." "No," said the other smartly, "none of my friends are in the jail." "Ah!" replied Mr. Bartlett, as quick as a flash, "when did they *escape!*"

Mr. Bartlett wrote little for the press. Beyond a few political speeches, and his poorly reported arguments in two or three criminal trials, a single oration delivered at the age of twenty-two, and one or two trifles hereafter to be mentioned, are all that remain in print to attest his literary powers. He manifested his interest, however, in some matters outside his profession. His services were in great demand at political gatherings, and his speeches, bright and caustic, were very telling. In the campaign that resulted in the election of President Harrison, he was particularly active. Indeed, it was supposed to be owing to his extraordinary exertions at that time that he was first attacked by the disease which finally caused his death. Like most men bred on a farm, in an agricultural community, he always maintained an interest in husbandry, and was a member of one or more societies for the promotion of the art. He was one of the original members of the New Hampshire Historical Society, which was the outgrowth of the celebration of the two hundredth anniversary of the settlement of New Hampshire by Europeans. Several odes were written for the occasion, among them one which is attributed by Mr. Plumer, who undoubtedly had the means of knowledge, to Mr. Bartlett.

Mr. Bartlett was president of the New Hampshire Historical Society four years, from 1826 to 1830. In 1827 he delivered the annual address before the Society, which was never published. The biographical sketch of Nathaniel A. Haven, Jr., in the second volume of the Society's Collections, is understood to be from his pen.

Mr. Bartlett was generous, sensitive, and high spirited. Though he could not easily forget a slight or an injury, yet he would do anything for a friend. In his earlier days he had the reputation of being a great "ladies' man." And he never entirely lost it, for his polished and deferential manners and agreeable conversation made his society most acceptable to the sex, at all periods of his life. But his attentions were general, and never focused upon any individual, although whispers of an unfulfilled romance in his youth were not wanting.

His attitude towards womankind was the occasion of the follow-

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ing epigram, believed to have been the work of John Kelly of Exeter, —

"He loved the ladies, great and small,
He loved the few — he loved the many,
But since he could not marry all,
He would not marry any!"

JAMES BARTLETT.

Son of Dr. Joseph and Hannah (Colcord) Bartlett; born, Salisbury, August 14, 1792; Dartmouth College, 1812; practiced, Dover; died there, July 17, 1837.

This was a younger brother of Ichabod Bartlett. He studied his profession with Moses Eastman of his native town, and with his brother Ichabod at Durham. After his admission he entered into a partnership with the latter, which continued for about three years. On the 1st of July, 1819, he received the appointment of register of Probate for the county of Strafford, and then, or before, took up his abode in Dover. That office he held for sixteen or seventeen years. In the mean time he was chosen a representative of Dover in the legislatures of 1823 to 1826, inclusive, and a state senator in 1827 and 1828.

He possessed good natural abilities, but lacked ambition. As an old member of the Strafford bar expressed it, "he had a good deal of latent power, but did not love work." He was a popular man, and enjoyed the reputation of being a "smart" one; which introduced him to convivial assemblages, and at length to habits of dissipation, it is said. His characteristics were strength and clearness, rather than brilliancy.

His first wife, married in June, 1820, was Jane Ballard. His second, married in June, 1831, was Jane M., daughter of George Andrews of Dover. He left two or more children, one of whom became a lawyer in Bangor, Maine.

JOSEPH BARTLETT.

Born, Plymouth, Massachusetts, June 10, 1762; Harvard College, 1782; practiced, Portsmouth; died, Boston, Massachusetts, October 20, 1827.

This eccentric genius removed into this State from Maine, as early as 1809, and lived in Portsmouth for ten or twelve years. He had graduated from college with so high a rank for scholar-

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ship that he secured an election to the Phi Beta Kappa Society. Shortly after peace was ratified with Great Britain he was in London, England. A happy retort at the theatre one night to a piece designed to ridicule his countrymen introduced him to the company of the young bloods about town, and his wit, audacity, and recklessness rendered him quite popular among them. For a time he led a gay life there, and afterwards boasted that he frequently met with Fox and Sheridan, which is not unlikely to be true. But soon, overwhelmed with debt, he was arrested and imprisoned. Having extricated himself by the proceeds of a comedy which he wrote, he next tried his fortune for a time upon the stage. But finding that London merchants were not disinclined to reopen trade with America, he purchased a quantity of goods on credit, and set sail with them for this country, but was wrecked on the coast of Cape Cod. A second experiment which he made in trade also failed.

He then returned to his original intention of studying the law. About this time the "Shays rebellion" occurred in Massachusetts, and volunteer companies were raised in and about Boston to aid in suppressing it. Bartlett was chosen captain of one of the companies, and marched with it two hours on the road to Springfield, when tidings were received that the insurrection was quelled, and the volunteers were ordered to return to their homes. Upon surrendering his command Bartlett made a humorous speech, saying that no doubt Shays had retreated by reason of hearing that *he* and his brave companions had taken the field against him!

On his admission to the bar, he first made his abode in Woburn, Massachusetts. He soon manifested that spirit of demagogism which, with his wit and impudence, constituted his chief stock in trade. "He harangued in the grog-shops and at the town meetings, and at all times had the power of setting the mob in a roar." He painted his house black, and called it "the coffin." He neglected no art to attract notice, and "as odd as Joe Bartlett" became a by-word.

Cambridge, Massachusetts, was his next residence. Here his eccentricities had wider scope. He attended the meetings of the Phi Beta Kappa society, and while ingratiating himself with a certain class of the students, made himself odious to the authorities of the college. He managed to get himself chosen to deliver the poem before the Phi Beta Kappa meeting at Com-

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mencement. His production was by no means without merit, but was filled with flings at the professors. He wrote criticisms for the newspapers on the college performances, and took the part of the students who were under discipline; in short, he was a source of perpetual annoyance to the faculty.

Party politics ran high at this period, and Bartlett contrived to get elected for a year or two as representative in the General Court, but he made little figure there. And in the judicial courts he fared no better, for he had neither the industry, the legal knowledge, nor the moral qualities which have weight with judge and jury. The character of his business and of his clients deteriorated, and he found it expedient — to use his own phrase — "to see new faces."

In 1803 he removed to Saco, Maine. For a time he made a sensation there, especially in political affairs. He changed sides from Federalism to Democracy, and was chosen to the Senate of Massachusetts, but became embroiled with the leaders of his own party. A civil action for a libel, in which Bartlett was the plaintiff, and in the end the successful party, put money in his purse for a while, but made another change of residence expedient, and Bartlett migrated to Portsmouth in our own State.

Very shortly after his arrival he was invited to deliver an address on the Fourth of July, which was published. His fame as a ready speaker for a time attracted him some business, especially on the criminal dockets of the courts. He wrote considerably for the journals of the day, and made no scruple of declaring that his pen was at the service of the highest bidder; but in his productions under his own name he introduced nothing immoral or offensive to good taste. In 1810 he published a volume of "Aphorisms," which were of respectable literary merit for the time, though containing little that was original. At this day they remind one strongly of the sounding platitudes of Tupper.

When Timothy Farrar took his seat as Chief Justice of the Court of Common Pleas in 1813, Bartlett, who had been in the habit of treating his predecessor in the office with little deference, made an address of a very offensive character to the Court, and then sat down and looked around the bar with the air of having done a smart thing. Judge Farrar quietly directed the sheriff to take him into custody for contempt of court. Poor Bartlett's triumph was short-lived. He was taken by the sheriff

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into one of the jury-rooms, and there he endeavored to excite the sympathy of his professional brethren. But nobody pitied him, and all with one accord assured him that he must make an apology to the Court. He accordingly returned to the court-room, and expressed his regrets to the Bench in a very neat speech. Judge Farrar, in behalf of the Court, accepted his apologies as satisfactory, and he was allowed to resume his place in the bar. But it is said that Bartlett, far from being mortified at the part he had acted, was flattered by the assurance that he had made a very good apology!

John Hale, a most promising young lawyer of Portsmouth, had died some years before Bartlett's removal there. Bartlett, however, on one occasion, improvised an epitaph upon him, and added to its point by interjecting the application of the lines, as follows: —

"God takes the good,
Too good by far to stay (that 's him);
And leaves the bad,
Too bad to take away (that 's me)."

Bartlett's fortunes were erelong on the wane. His wife left him on account of his neglect or inability to provide for her; fortunately, they had no children. His wit degenerated into buffoonery and scurrility; he neglected his person. His employers were from the lowest rounds of the social ladder. It was at this period that he uttered the witticism, — referring to his only remaining client, a colored man named Cæsar, — "*Aut Cæsar aut nullus.*"

"The last day of suing" is remembered by the older lawyers as a very busy time, when it behooved every practitioner who hoped for a long list of entries to be in his office till midnight. On one of these important occasions, during the latter part of Bartlett's stay in Portsmouth, Ichabod Bartlett, then an active young lawyer, was hurrying to his office, and met his older namesake standing quietly at the street corner.

"Stop," said Joseph. "I can't," said Ichabod, "it 's the last day of service." "Pooh, pooh," said Joseph, "I can get more business in the street than in the office. While I 've been standing here I 've got five defenses," — showing that number of summonses which had been served on *himself* as defendant.

At length the people of Portsmouth virtually hired him to leave

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the town, by taking tickets in a literary recitation which he gave to obtain the means to remove elsewhere.

His last home was in Boston, Massachusetts, where he became dependent upon the benefactions of his brethren of the profession, and the charity of his landlady. He endeavored to eke out his slender means by a second edition of his "Aphorisms," in 1823; to which he affixed his early poem of "Physiognomy," which showed real marks of the poetical faculty, and a prose essay on the "Blessings of Poverty," which had at least the merit of being based upon experience.

He died in Boston, October 27, 1827. The following epitaph he composed for himself: —

> "'T is done! the fatal stroke is given,
> And Bartlett 's fled to hell or heaven;
> His friends approve it, and his foes applaud,
> Yet he will have the verdict of his God."

JOSEPH K. BARTLETT.

This was a son of Amos Bartlett, born in Bath in the year 1805. He was admitted to Dartmouth College as a freshman, and is represented to have been a superior scholar. He studied law in the office of Jonathan Smith of Bath, and was admitted an attorney in 1831. He started in practice in Mont Vernon, but stayed there only about one year, when he removed to Dunstable, now Nashua, and formed a partnership with Aaron F. Sawyer. Ill health compelled him a year later to abandon New Hampshire, and he proceeded to Cincinnati, Ohio. He lived there but about six months, and died of cholera.

RICHARD BARTLETT.

Son of Caleb and Ruthy (McClintock) Bartlett; born, Pembroke, January 8, 1792; Dartmouth College, 1815; admitted, 1818; practiced, Concord; died, New York, October 23, 1837.

When Mr. Bartlett was fifteen years of age, his regular and handsome handwriting attracted the attention of Philip Carrigain, at that time Secretary of State, and he became the secretary's clerk. There he remained three years, and then entered Phillips Exeter Academy, on the foundation. With assistance from friends he accomplished his college course, with the high honor of

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the valedictory oration, in 1815. He then entered the office of George Sullivan of Exeter, and completed his legal studies, and was admitted an attorney.

Being indebted for the cost of his education, he took the place of deputy Secretary of State, which was offered him, and at the same time advertised himself as a practicing lawyer in Concord. He continued in the secretary's office as deputy until 1825, and three successive years as Secretary of State. Here his services were of great value. He realized the importance of preserving every aid to history that the archives of the State afforded, and had the orderly habit of mind that would have a place for everything and everything in its place. While he occupied the office he did more towards putting the records of the State in good condition than had ever been done before. He caused to be recorded many acts which had been omitted. He procured copies of ancient documents from Massachusetts, and many files which had been retained by Secretary Waldron. He also inaugurated the practice of binding the acts of the legislature into volumes.

By reason of the change in the political complexion of the State, he was not reëlected in 1829. From that year to 1831 he had the editorial charge of the Concord "Journal." But after about a year and a half he relinquished journalism.

On various public occasions Mr. Bartlett delivered addresses of merit, but they were never printed. His best published productions are said by his friend John Farmer to have appeared anonymously in the journals of the day. He was chosen a representative in the legislature from Concord in 1830 and 1831; and in the latter year was complimented with a nomination for Congress, but declined it.

On the formation of the New Hampshire Historical Society he was an original member, and one of its officers for several years; and prepared a valuable article for the fifth volume of its Collections, on the Care of Public Archives.

In 1832 he left the State, and became interested in the bookstore of his brother, Caleb Bartlett, in New York. There he remained until his death.

He never married.

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GEORGE SULLIVAN BARTON.

Son of Hon. Cyrus and Hannah (Hale) Barton ; born, Concord, May 9, 1831 ; Dartmouth College, 1851 ; admitted, 1853 ; practiced, Newport ; died, Concord, July 24, 1857.

Mr. Barton graduated from college at the age of twenty, studied law, and in two years was admitted an attorney. He began practice in Burlington, Iowa, but after a year there returned to New Hampshire, and became a partner of Edmund Burke of Newport. He was ambitious, and inherited political tendencies, no doubt; and in 1855 and 1856 was chosen clerk of the state Senate, a place which has often served as a stepping-stone for young men to higher party honors. But in his case it was not to be, for his life was cut short when he had reached the age of only twenty-six.

He was a man of much promise, a fine penman, a skillful draughtsman, and gifted with no mean poetic talent.

IRA McLAUGHLIN BARTON.

Son of Hon. Levi W. and Mary A. (Pike) Barton ; born, Newport, March 11, 1840 ; practiced, Newport ; died there, January 19, 1876.

Mr. Barton was prepared for college at Meriden, and entered Dartmouth College in 1858. He remained there only a year, and left, for no fault, in 1859, and entered upon the study of the law in his father's office. On the breaking out of the war of the Southern Rebellion, he is said to have been the first man in Sullivan County to enlist. He was commissioned captain in the First Regiment of New Hampshire Volunteers. After three months' service he received the appointment of captain of Company E. in the Fifth New Hampshire Regiment, and was in the several battles before Richmond in 1862. From 1863 to 1865 he was lieutenant-colonel of the First Regiment of New Hampshire Heavy Artillery, and stationed in the defenses about Washington.

After the war closed he was appointed a first lieutenant in the regular army, and acted as provost-marshal at Pine Bluffs, Arkansas; and afterwards received successively the appointments of district attorney and judge of a criminal court in Arkansas. Having practiced his profession there about three years, he re-

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turned to New Hampshire and entered into partnership with his father. There he continued up to the time of his decease.

Colonel Barton was a man of warm and generous feelings. His abilities were proved by the positions which he filled. In a professional life so varied and interrupted, he had scarcely the opportunity to prove what he was capable of accomplishing in the law, but his friends anticipated for him a career of marked distinction had his life been spared.

Colonel Barton left no children, though he was twice married; first to Helen M. Wilcox of Newport, and second to Addie L. Barton of Ludlow, Vermont.

ZACHARIAH BATCHELDER.

Son of Zachariah and Polly (Knowlton) Batchelder; born, Beverly, Massachusetts, February 4, 1796; Dartmouth College, 1821; practiced, Chichester, and Wolfeborough; died, Wolfeborough, May 11, 1869.

The parents of Mr. Batchelder removed shortly after his birth to Wendell, now Sunapee, in this State, where his early years were spent. At the age of twenty he became a pupil in Kimball Union Academy, whence the next year he entered college. It was his original desire to qualify himself for the ministry, but upon mature consideration he believed himself better adapted to some other calling. The three years after his graduation he spent in teaching at Meredith, Salisbury, Winchester, and Northfield, Massachusetts; at the same time reading law partly with Samuel I. Wells of Salisbury, and in part with Benjamin Kimball of Winchester. He began to practice in Chichester, where he remained during the years 1827 and 1828, and then removed to Wolfeborough, his home through life.

He was a fine scholar, especially in Greek and mathematics, holding the third or fourth place in rank in his class, and he never lost his knowledge by neglect afterwards. As might be expected, he was a well-read and accurate lawyer. He was regular in his habits and upright in his conduct, a quiet, reserved man, who made no display of his capacity. He rarely argued causes in court, though he was from 1841 to 1846 solicitor of the county.

He never married.

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GEORGE EDWIN BEACHAM.

Son of John C. and Olive (Young) Beacham ; born, Wolfeborough, May 12, 1852 ; admitted, 1876 ; practiced, Somersworth ; died there, March 30, 1892.

Mr. Beacham was educated chiefly in the public schools of Great Falls village, in Somersworth. At the age of twenty-one he entered the office of William J. Copeland, at Somersworth, as a student at law, and was admitted at the end of three years to the bar. He established himself in practice in Great Falls village, and at a later date connected himself in business with attorneys in Carroll County, and York County in Maine.

He was a good, safe lawyer, not of extraordinary power or learning, but honest and attentive to his employers' interests, and never advising unnecessary litigation. His business embraced the collection of claims, the drawing of instruments, and the like, and became quite considerable. He tried very few cases before the jury.

In 1881 and 1882 he was a representative in the legislature, and in the latter year was made associate Justice of the Police Court of Somersworth.

He was a good deal interested in Freemasonry, and had made considerable progress in the collection of materials for a history of Libanus Lodge in Somersworth, but never completed the work.

He was married, February 14, 1876, to Olive L., daughter of Henry Nunn of North Berwick, Maine, and left one son.

IRA ALLEN BEAN.

Born, Moultonborough, c. 1799 ; admitted, 1823 ; practiced, Sandwich ; died, Urbanna, Ohio, c. 1869.

After completing his law studies with Jonathan C. Everett at Meredith, Mr. Bean opened an office in Sandwich in 1823. Having resided there ten years, he was seized with an inclination to "go West," and removed to Urbanna, Ohio. He entered into trade there, it is said, took part in politics, and was elected to the Ohio Senate. About 1856 Mr. Bean returned to Sandwich, and resumed his law practice, and at the same time engaged in farm-

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ing. In 1865 and 1867 he was a member of the New Hampshire House of Representatives. In 1869 or 1870, he returned to Ohio, and there suddenly died.

He was a lawyer of respectable rank, and is said to have excelled as an advocate. He was a ready debater, and a clear, incisive speaker.

His wife was Eliza F., daughter of General Daniel Hoit of Sandwich. They were married, March 9, 1826.

ITHAMAR WARREN BEARD.

Son of Ithamar A. and Mary (Warren) Beard ; born, Littleton, Massachusetts, September 3, 1814 ; admitted, 1839 ; practiced, Pittsfield ; died, Lowell, Massachusetts, October 31, 1862.

Mr. Beard's father was in early life a noted and successful teacher, and later was agent of the cotton mill in Pittsfield. He had a strong desire that his son should follow a mechanical pursuit, to which the latter dutifully submitted until he was emancipated, when he devoted his time to the acquisition of a more complete education. He took a partial course of instruction at Bowdoin College for two years ; and then commenced the study of the law with Moses Norris at Pittsfield. By his energy, independence, and decided opinions, he attracted no little attention among the legal and political intimates of Mr. Norris. Thus his interest in law and in politics naturally kept pace with one another.

In 1839 Mr. Beard became a partner of Mr. Norris in Pittsfield. This relation continued for three years, and until Mr. Beard left the State. He practiced his profession with credit and success in Lowell, Massachusetts, for about fourteen years, and then transferred his office, in 1856, to Boston. While in Lowell he was chosen, in 1851, a member of the state Senate. In October, 1853, he was appointed assistant Treasurer of the United States, and in 1860 cashier of the custom house in Boston. Not long after this his health gave way. He quitted Boston and returned to Lowell, where his connections resided, and made the attempt to continue his legal practice ; but his strength was unequal to the task, and his earthly career closed at the age of forty-eight.

He was an upright and downright man, gifted with a powerful

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and impressive physique, a frank, generous, and fearless disposition, "superior ability, and high moral character." His pluck and tenacity, the honesty of his convictions, and his unblemished reputation gave him great moral power, and he was a most effective speaker in the court-room and upon the platform.

His first wife was Mary A. Todd of Pittsfield, a sister of the wife of Moses Norris. They were married, September 7, 1836. Mrs. Beard died in 1853, and Mr. Beard married Abba W. Mansur of Lowell, January 3, 1854. Of his three children by his former marriage, only one now survives.

JOHN BEDEL.

Son of General Moody and Mary (Hunt) Bedel; born, Indian Stream territory, July 8, 1822; admitted, 1850; practiced, Bath; died there, February 26, 1875.

It was in the schools of Bath, supplemented by the seminary at Newbury, Vermont, that Mr. Bedel obtained his education. In 1843 he commenced studying law with Harry Hibbard at Bath, but in 1847, before he had completed his five years' apprenticeship, he enlisted as a private in the army, for service in the war with Mexico. In two months he rose to be sergeant, in nine months to be lieutenant, and during a great part of 1848 he was in command of a company. After the war was closed, in 1849, he resumed his place in Mr. Hibbard's office, and at the same time employed himself considerably as soldiers' claim agent. He was admitted in 1850, and became the next year a partner of Mr. Hibbard. He is described as able to "talk pretty saucy" in proper cases, but apparently had no great love for his profession.

In 1853, after a practice of three years, he obtained an appointment in the United States Treasury Department, and went to Washington, which he made his home for the next eight years. His duties required him to deal with the accounts of men who had failed to meet their obligations to the government, and his accurate habits and decision made him an excellent officer.

At the first clash of arms in 1861, the warlike spirit which he had inherited from two generations of soldier ancestors impelled him to the field. His zeal and military experience procured him the appointment of major of the Third New Hampshire Regiment in 1861, and he was promoted to lieutenant-colonel in June, 1862, and colonel in 1864, while in the hands of the enemy.

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In July, 1863, he was taken prisoner in the assault on Fort Wagner, while far in advance of his men. He was detained five months before being enlarged on parole, and was treated with such harshness and rigor that upon his release he proceeded at once to Washington, and made to the President a full statement of the circumstances, with a view to expedite the exchange of prisoners, a purpose to which his representations are supposed to have materially contributed. He then returned to his regiment in Wilmington, North Carolina, and continued to serve until hostilities were ended. He was brevetted brigadier-general, to rank from March, 1865.

At the close of the war he returned to Bath, and engaged in the manufacture of starch. He was chosen a member of the popular branch of the legislature in 1868–69, and was the candidate of the Democratic party for the office of governor in 1869 and 1870. His death occurred from over-exertion and exposure on the occasion of the burning of his starch mill, on a cold and stormy day.

In December, 1853, he was married to Mary A., daughter of Jesse Bowers of Nashua. They had seven children, three of whom were living at their father's decease.

GEORGE BELL.

Son of Hon. Samuel and Lucy (Smith) Bell ; born, Chester, June 24, 1829 ; Dartmouth College, 1851 ; admitted, 1854 ; practiced, Manchester ; died, Cleveland, Ohio, September 2, 1864.

Prepared for college at the Pinkerton Academy in Derry, and for admission to the bar in the office of Wheeler and Faulkner in Keene, Mr. Bell made his first essay in practice in Chicago, Illinois. After about two years he returned to this State, and opened an office in Manchester. There he prepared for publication a Digest of the Decisions of the Superior Court, as a continuation to Gilchrist's Digest. It was issued in 1858, and met with universal favor from the profession, until it, as well as Gilchrist's work, was superseded by the Digest of Morrison, ten years later, which covered the ground of both.

About 1860 Mr. Bell changed his residence to Cleveland, Ohio. While there he served a year in an Ohio regiment in the Union army. He was a man of marked ability, but diffident, and not gifted with the pushing faculty. His Digest shows him to have

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been not only thoroughly grounded in the law, but also to have formed a critical acquaintance with nice legal distinctions. It is said that he cherished the scheme of preparing something like a Universal American Digest, but his life came to an end too soon to allow him to carry out the design.

He married Emma A. Preston, of Manchester, August 2, 1859, and died childless.

JAMES BELL.

Son of Hon. Samuel and Mehitable (Dana) Bell; born, Francestown, November 13, 1804; Bowdoin College, 1822; admitted, 1825; practiced, Gilmanton, Exeter, and Gilford; died, Gilford, May 26, 1857.

Mr. Bell was prepared for college at Phillips Academy, Andover, Massachusetts. His law education he obtained in the office of his brother, Samuel D. Bell, in Chester, and at the Law School in Litchfield, Connecticut, and he commenced practice in Gilmanton. After a stay there of six years he removed in 1831 to Exeter. He devoted himself with great assiduity to his profession. After a time, the extent of his practice made it necessary for him to have an associate in business, and he took as a partner Amos Tuck, who had been his student. For several years their practice in Rockingham and Strafford counties was scarcely equaled by that of any other office. A large portion of it consisted of litigated cases, which Mr. Bell almost invariably argued to the court and jury. Upon the trial docket he was counsel for one or the other of the parties in a great majority of all the causes in his own county; and during the sessions of the courts had scarcely a breathing spell from the opening to the "previous proclamation." As soon as the jury had gone out in one of his cases, he had usually to take out another set of papers to open the next case to another jury; and so on, with few exceptions, for weeks together throughout the term. Nothing but the most careful preparation and exact method would have made such continual mental labor possible. His equable temperament and regular habits enabled him to undergo the strain with the least wear and tear, it is true; but in process of time the exhausting toil told upon his constitution, and implanted in it the seeds of a lingering but surely fatal malady.

In 1846 he accepted the offer of a position that promised to relieve him of much of the confining work of the office and court-

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room. The proprietors of the great manufacturing establishments on the Merrimac River, that had usually suffered from the low water of the summer droughts, conceived the plan of purchasing the lands and rights of flowage around Lake Winnepesaukee, so as to make it a reservoir for their use. This would involve a great variety of questions of title and of riparian rights, which could be properly dealt with only by a lawyer of competent attainments and knowledge of men. These qualities the Winnepesaukee Land and Waterpower Company found in Mr. Bell, and made him their agent to conduct the preliminary and far the most difficult part of the business. He gave himself to it with his usual diligence, changing his residence to Gilford for the purpose, and so much to the contentment of his employers that he was retained in the agency as long as he lived.

Though Mr. Bell had no special liking for political life, he served in the legislature in 1846 from Exeter, and in the constitutional convention of 1850 from Gilford, and was twice made the candidate of his party for the office of governor. The party being then in a minority, he was not chosen, but in June, 1855, when a political revolution had given the power to his friends, he was elected a United States senator for a full term. He served in that capacity in the thirty-fourth Congress, and in the extra session in 1857, though so much enfeebled by disease that he was unable to do fair justice to his abilities and acquirements.

Mr. Bell's qualifications and standing as a lawyer cannot be better described than in the language of Chief Justice Perley: —

"Mr. Bell was a man of large attainments, and great variety and versatility of powers. Considered as a lawyer, it would not be easy to name one more completely furnished for all exigencies in the different departments of the profession. He was an advocate fully equal to the conduct of the weightiest and most difficult cases. As a legal adviser, no man gave a sounder and safer opinion on a naked question of law.[1] . . . There was an even balance in his mind and a just proportion in all the parts of his character. . . . There was nothing for which he was more remarkable than for the variety and amount of labor which he was

[1] The point raised by Mr. Bell in the celebrated "guide-board" cases, which relieved several towns from being cast in heavy damages under a carelessly drawn statute, is a good example of his ingenuity and acumen in dealing with legal questions. See the notice of Jonas B. Bowman.

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able to perform. Without hurry or confusion he disposed of his work with unrivaled ease and dispatch. He was entirely free from all low craft and disingenuous artifice, yet his dexterity and fine tact in the handling of a cause have not been surpassed by any contemporary in this State. . . . He was the most modest and unobtrusive of men, yet was never known to fail in self-possession, and in the perfect mastery and control of his faculties. With the greatest mildness and gentleness of manner, he was strenuous and unyielding in the assertion of all his client's substantial rights. . . . Of professional deportment a more perfect model could hardly be proposed. The prevailing kindness of his disposition, the delightful courtesy and gentleness of his manners, his good nature and habitual disposition to oblige in all the formal parts of business, his perfect good faith and unsullied integrity, his untiring patience and freedom from that irritability which his cares and exhausting labors might well have excused, endeared him in no common degree to his brethren of the legal profession at the bar and on the bench. . . . His life was without a stain, and to the last, most diligently devoted to useful and honorable labor in the way of his duty."

Mr. Bell, at the age of twenty-seven, married Judith A., daughter of Nathaniel Upham of Rochester, and left five children. Both his sons studied law, and one practiced for a time in this State; and one of his daughters was the wife of Nathaniel G. White, a lawyer of Lawrence, Massachusetts.

JOSEPH BELL, LL. D.

Son of Joseph and Mary (Houston) Bell; born, Bedford, March 21, 1787; Dartmouth College, 1807; admitted, 1811; practiced, Haverhill; died, Saratoga, New York, July 25, 1851.

This able lawyer came of that Londonderry Scotch-Irish stock which has produced so many of the marked men of our State, and though born to narrow circumstances, was aspiring and resolute to obtain a liberal education. This, by his exertions and prudence, he accomplished. One year after his graduation he was employed as preceptor of the academy in Haverhill, and then began his legal studies; first in the office of Samuel Bell, in Francestown, and subsequently with Samuel Dana of Boston, Massachusetts, and Jeremiah Smith of Exeter. He settled in Haverhill in the

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year 1811, in a very modest way, with few law-books, in a small office, where he also had his bed. His means had been exhausted in his preparation, and at first his prospects were not encouraging; but soon after, he was appointed cashier of the Grafton Bank, and this was the stepping-stone to fortune. It afforded him a certain income, brought him in contact with business and moneyed men, and gave him a chance to show his capacity. All his leisure hours were devoted to his professional business, which soon became considerable. In about three years it engrossed so much of his time that he resigned the cashiership, and thenceforward he never lacked clients.

But all was not plain sailing with him yet. In 1816, when the old court house in Haverhill was burned, he met with a serious accident by stepping on a nail which protruded from a fallen shingle. Lock-jaw was threatened, and was averted only by a serious surgical operation. A fever ensued, which reduced him to the very verge of dissolution; but by careful nursing he gradually recovered, and at length resumed his business with increasing success.

In 1821, when he had acquired property and reputation, and had taken a wife, a suit was brought against him by one of the ladies who nursed him in his sickness, for breach of promise of marriage. This was a menace to his reputation and his purse, and he prepared himself resolutely to defend both. The action was twice tried, Richard Fletcher leading for the plaintiff, and assailing the defendant with all the bitterness, it is said, of an unsuccessful rival; but the verdict was for the defendant. It was characteristic of Mr. Bell that he taxed his costs and took out execution, and quietly put it away in a pigeon-hole. The death of the plaintiff occurred a few years later, and as she left property, he then presented his claim to her executor and it was paid.

For thirty years Mr. Bell was in practice in the county of Grafton, and the greater part of that time was *facile princeps* there. The courts were regularly attended by several of the ablest lawyers of the State, such as George Sullivan, Ichabod Bartlett, Joel Parker, and Jeremiah Smith, so that Mr. Bell had no easy task to hold his position; but he did it. Until the last few years of his stay in the State, however, he did not go much out of his own county. But in those later years he was retained

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in the trial of a number of important causes in Rockingham, Strafford, and perhaps other counties.

From a letter of the late Chief Justice Perley the following analysis of some of the prominent characteristics of Mr. Bell as a lawyer is condensed: —

Mr. Bell was remarkably deliberate, thorough, and methodical in his preparation of a cause, and never willingly trusted to the examinations of others. He was particularly attentive to the pleadings, a title of the law with which he was extremely familiar.

He was as far removed as possible from all the low arts by which clients are sometimes obtained and retained; yet no man could be more patient with clients and assistant counsel.

His business in Grafton County was very large and miscellaneous, but it was done promptly, without hurry or confusion, and with the utmost method and exactness. His numerous papers were arranged and kept in complete order, and ready to be produced at once when needed.

His analysis of facts and of the law was often remarkably acute and subtle; but his arguments, whether addressed to the court or jury, were seldom extended to great length. His judgment or the natural turn of his mind led him rather to seize on the strong and prominent points of his case, than to run it out into a sifting examination of details.

He was a most thoroughbred lawyer. His learning was not diffuse and miscellaneous, but deep and very exact. He was constitutionally averse to anything like display of his legal attainments. His powers and resources appeared greatest when their manifestation was accidental, and partly involuntary, as when some question arose and was discussed incidentally in the course of a trial. On such occasions Mr. Bell exhibited far greater ability than in the discussion of legal questions formally set down for argument. His keen analysis of facts, his ready command of the most exact legal phraseology, his thorough mastery of legal principles, and his prompt recollection of cases and authorities gave him great advantage where time was not allowed for the plodding preparation which some men require.

It may be added that Mr. Bell was always ready with his cases whenever they came up in their order, "whether the judge called the docket forwards or backwards." He had a full appreciation

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of his own abilities and position, and this he manifested by a rather imperious manner, and by high charges for his professional services.[1] In dealing with witnesses on the stand, and in addressing juries, his voice was so loud that it could be heard far outside the court-room. It is said that he was naturally diffident about speaking in public, and found that raising his voice gave him confidence. However this was, his manner and stentorian tones probably impaired his influence with the jury, and he was most successful in his arguments before the judges.

After he had acquired wealth and standing sufficient, he apparently formed a desire for political honors. He had been appointed solicitor for the county of Grafton in 1814, had represented Haverhill in the legislature in 1821, 1828, 1829, and 1830, and had been the candidate of his party for Congress in 1835; but his party was in the minority in the State, and the doors of political advancement were closed to him there. This is said to be one of the motives which led him to remove his home to Boston, Massachusetts, in 1842.

There he entered at once into a lucrative practice, chiefly as chamber counsel, and was elected to the state legislature twice as representative, and two years in the Senate, of which he was chosen the president. But neither nature nor his training had adapted him to a political position. His business sagacity enabled him nearly to double his fortune, after his departure to Boston, and he might well rest content with his high reputation as a lawyer and a man, and the abundant fruits of his labors.

In his intercourse with others Mr. Bell was rather reserved, and had the reputation of being somewhat proud and exclusive. But to his intimates he unbent, and was social and most agreeable. For some years before his death he suffered with occasional attacks of heart disease, one of which occurred while he was traveling in Scotland with his brother-in-law, Rufus Choate. They had driven to the entrance of Holyrood Castle, when Mr. Bell declined to

[1] In an important cause which he tried in Strafford County, during the later years of his residence in New Hampshire, his fee was two hundred dollars, which in later times would not be considered very large for a leading lawyer retained to go into a distant county. But then, and to his close-fisted client, it seemed enormous, and in speaking of it to a friend he said, "I have always believed in the doctrine of universal salvation; but now I think if there is not a hell, there ought to be one!" But it could not be justly charged that Mr. Bell was dishonorable, or that he took undue advantage of his clients.

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enter the building, but did not allow his companion to know the cause of his refusal. Like the Spartan youth, he bore his suffering in silence. He was too proud and self-contained to parade his infirmity before the eyes of another.

Dartmouth College gave Mr. Bell the degree of LL. D. in 1837.

He married Catharine, daughter of Mills Olcott of Hanover, September 6, 1821, and had two sons and three daughters. His son, Joseph Mills Bell, became a lawyer.

LOUIS BELL.

Son of Hon. Samuel and Lucy (Smith) Bell ; born, Chester, March 8, 1837 ; admitted, 1857 ; practiced, Farmington ; died, Wilmington, North Carolina, January 15, 1865.

The great civil war of 1861 proved that our modern age abounded in examples of heroism of the highest type. At the call of patriotism a very myriad of young, ardent Americans abandoned ease, safety, and plenty to encounter hardship, disease, and the perils of the battlefield. Among that number the subject of this notice was conspicuous.

Educated at the academies of Derry and Gilford, and at Brown University (where, however, for some reason not to his discredit, he appears not to have taken his degree), Louis Bell was fitted by nature and by taste to be a soldier, and was disappointed in not being able to fit himself for the military profession by a course at West Point. By his reading he made himself thoroughly acquainted with military subjects, and thus unconsciously qualified himself for the duties which were in store for him in the future. His favorite studies besides were chemistry and the natural sciences.

He read law with Edmund L. Cushing of Charlestown, and opened an office in Farmington in 1857, when he was scarcely twenty-one years of age. He entered his profession with a will, as he did everything.

In two years he was appointed police justice of the town, and in two years more solicitor of Strafford County. It was characteristic of his military tastes that he also held the commission of major on the brigade staff of the state militia. He gave promise of attaining high distinction as a lawyer, but circumstances opened a different career before him.

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The first call for volunteers to suppress the great rebellion, in 1861, found Louis Bell ready. He tendered his services to the governor of the State, and was commissioned captain of the first company in the First Regiment of New Hampshire Volunteers. After serving out the three months' term for which the regiment was raised, he was promoted to the lieutenant-colonelcy of the Fourth, a three years' regiment, and with it was in a short time ordered to Beaufort, South Carolina. There it came under the command of General T. W. Sherman, who on becoming acquainted with Lieutenant-Colonel Bell appointed him his inspector-general and chief of staff. In the spring of 1862 he was promoted to be colonel of the Fourth New Hampshire Regiment, and continued in command of it in South Carolina and Florida for the next two years.

In April, 1864, he was ordered to Virginia, and put in command of a brigade of five regiments in the Army of the James. With it he participated in the engagements at Drewry's Bluff, at Cold Harbor, and others of less importance, always conducting himself with courage, skill, and credit. His brigade formed a part of both the expeditions against Fort Fisher. He was deeply mortified at the inglorious termination of the first one, and hailed with alacrity the orders for the second, though it was evident that the work was then not to be taken, except by a desperate expenditure of life. He led his command to the assault of the rebel stronghold with his customary coolness, and had just congratulated an officer by his side on the admirable behavior of his men, when a rifle-ball from the enemy's lines pierced his breast and inflicted a ghastly wound. He was taken by tender hands to the rear, and though he was well aware that his hurt was mortal, he would not allow himself to be removed from the scene until he saw the colors of his own regiment floating proudly over the captured fort. A few hours later his gallant spirit took its flight from earth. President Lincoln recognized his value by conferring upon him the brevet rank of brigadier-general, dated on the day when Fort Fisher fell.

He was united in marriage, June 8, 1859, to Mary A. P., daughter of Rev. Dr. Nathaniel Bouton of Concord. She survived him but a few months, leaving a son and a daughter.

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SAMUEL NEWELL BELL.

Son of Hon. Samuel D. and Mary H. (Healey) Bell; born, Chester, March 25, 1829; Dartmouth College, 1847; practiced, Manchester; died, North Woodstock, February 8, 1889.

The father of Samuel N. Bell, his grandfather, and his great-grandfather, Samuel Dana, were all of them jurists of note.

The subject of this sketch was prepared for college at the Phillips Academy in Andover, Massachusetts. Upon attaining his degree of A. B. he naturally turned to the law for his profession, and studied in the office of William C. Clarke of Manchester, which place was then and ever after his home. He was engaged in active practice there for above a quarter of a century. His naturally quick parts, and his habits of application, gave him an almost immediate start in his profession. He was a quiet man and made little ado about his business, and had small inclination for publicity or show. But his opinions, formed after careful study and reflection, were deemed of the highest authority. On two occasions he was tendered the office of chief justice of the highest state court, but declined to accept it. He had little ambition for exalted station, and preferred to keep the control of his time for his private business, and for the scientific studies in which he delighted. Though little of a politician he was induced to accept a nomination for Congress, and sat in the national House two terms, 1871–73 and 1875–77. But he was too independent to be a strict partisan.

He possessed remarkable business sagacity and tact. One of his first transactions of importance was the purchase of a valuable block of stores and offices in Manchester. He found it could be bought on favorable terms for cash. The purchase-money (or the most of it) he obtained from savings banks, on long loan, on the security of a mortgage of the building. The stores and offices were so well rented that they not only paid the interest on the money borrowed, but a handsome annual percentage of the principal, so that in no long period the building "paid for itself," and became the unincumbered property of the purchaser.

Mr. Bell carried the same careful calculation into all his business methods. He became the owner of much real estate in and about Manchester, and was largely concerned in many corpora-

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tions, but in none of his ventures did he rely on the opinions of others; he investigated for himself and backed his own judgments. The sequel proved the wisdom of his conduct. He was at the time of his decease president of the Manchester Street Railroad, and vice-president (and practically manager) of the New Hampshire Fire Insurance Company, both which were among the most successful corporations in the State.

Somewhat early in his career Mr. Bell turned his attention to the railroad system of New Hampshire, and as usual was satisfied with no half knowledge. It is doubtful if any man, before or since, has ever made himself so thoroughly acquainted with the history and condition of the several lines as he was. He was president of the Concord and Portsmouth, the Suncook Valley, the Pemigewasset Valley, the Profile and Franconia Notch railroads, and was clerk of the Boston, Concord, and Montreal. Of these he may be called the father of the Suncook Valley and the Pemigewasset Valley railroads, for without his faith and encouragement, and steady and continued impulsion, it is questionable whether they would have been in operation at this day. He was rewarded for his enterprise and foresight and judicious management by the accumulation of a large property.

To his acuteness and business sagacity Mr. Bell joined an untiring industry. He wasted no time. The intervals of his multifarious activities were filled by reading, of a useful sort. He collected a large library, of which a great proportion related to scientific subjects. His habits of thoroughness were visible in his study, as in all else. When a subject engaged his attention, he could not rest till he exhausted it, and if there were books which could enlighten him, he got them without regard to cost.

He was interested especially in the growth and prosperity of the Manchester Athenæum, the foundations of which were due in a great measure to the liberality and foresight of his father. He served as an officer of this institution for many years, and it was largely due to him that its collections became so numerous, and of so great utility to the population of the city.

Mr. Bell enjoyed a wide popularity. But it was not the popularity which comes of acquiescence in every one's statements. He was a man of decided convictions, and never hesitated to declare them. It was his very honesty and outspokenness that gave men faith in him. He had a quaint method of expression, and his say-

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ings were widely repeated. Men liked to hear what he thought on the topics of the day. His information and his judgment gave tone to the thoughts of numerous others.

His funeral was attended by the bar of Hillsborough County in a body, and by a great concourse of sorrowing friends. All the banks of Manchester and many of the leading places of business were closed, in testimony of the loss of one of the leading and most respected citizens.

Mr. Bell was never married.

ABEL HERBERT BELLOWS.

Son of Abel and Harriet (Houghton) Bellows ; born, London, England, May 28, 1821 ; Harvard College, 1842 ; admitted, 1845 ; practiced, Concord and Walpole ; died, Boston, Massachusetts, March 23, 1889.

The parents of Mr. Bellows resided in Walpole, and were traveling in Europe at the time of his birth. He was educated at the Phillips Exeter Academy and Harvard College, studied law with Frederic Vose of Walpole, and was graduated LL. B. from Harvard Law School in 1845. He was then received as a partner in the office of his cousin, Henry A. Bellows, afterwards Chief Justice, at Concord, and lived there fifteen years or more, and then returned to Walpole. He was a representative from Walpole in the legislatures of 1865 and 1866. The last few years of his life he spent in Boston.

He inherited from his father a handsome property, and although he entered the practice of his profession, he probably felt quite independent of it. He was public spirited and liberal.

In 1867 he was chiefly instrumental in replacing the old toll bridge over the Connecticut at Walpole by a new free bridge. He distinguished himself also by the vigor and pertinacity with which he followed up the perpetrators of the robbery of the savings bank in Walpole in 1864, by which he was a considerable loser.

The principal offender in that crime was arrested, tried, and after conviction escaped from jail, and was re-arrested and committed to the state prison, from which by the aid of a confederate he again escaped.[1] It was in a great degree owing to the zeal

[1] The bank robber, whose name was Shinborn, was never retaken. But, several years afterwards, an application was made by telegraph to the gov-

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and acumen of Mr. Bellows that he was brought even thus far to justice.

Mr. Bellows was amiable in disposition, a courteous and refined gentleman, ready to do anything to help a friend, or to forward a public improvement.

He was married, May 27, 1861, to Julia A. Warren of Boston, Massachusetts, and left a daughter and two sons.

ASAHEL HICKS BENNETT.

Son of Nehemiah and Lucy Bennett; born, Swanzey, 1805; admitted, 1830; practiced, Winchester; died, Davenport, Iowa, July 14, 1880.

Mr. Bennett is said to have come from old Quaker stock. He was educated at the academies in Chesterfield and Hancock, and after teaching school in his native town, studied law under Timothy Reed and Benjamin Kimball of Winchester, and Thomas M. Edwards of Keene. He began to practice in Winchester about 1830, and remained there above a quarter of a century, becoming a man of prominence, with a good standing in the community.

In 1850 he was a delegate to the convention to amend the Constitution of the State; from 1851 to 1854 he was school commissioner for Cheshire County, and in 1852 and 1853 he was a member of the state Senate. He had also accumulated property, and was a director in the Winchester Bank.

An anecdote is preserved of Mr. Bennett which shows that though the blood of Friends flowed in his veins, he did not lack proper spirit. In an important hearing which he was conducting before a somnolent Judge of Probate, he was annoyed when he came to his argument to find that the Judge, after a hearty dinner, gave unmistakable and audible evidence of being asleep.

ernor and council of the State for his pardon, upon condition that he would make good the stolen property. No attention was paid to the application. Upon surprise being expressed at the escaped prisoner's wish for a pardon, when he was already at large and out of the jurisdiction, a gentleman who knew the ways of criminals, and the manner in which their booty is extorted from them, answered that Shinborn was undoubtedly compelled to pay blackmail to the officers of the city where he lived, by threats of informing against him so as to procure his extradition to this State to serve out the remainder of his sentence. And in reply to the inquiry where Shinborn could possibly get the means to replace the stolen securities, the answer was, "By breaking another bank!"

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Mr. Bennett stopped, his Honor awoke, and Mr. Bennett remonstrated that as his client's interests were at stake, the Judge ought to remain awake and listen to what was said in his behalf. The Judge denied the impeachment, and said that he was only meditating with his eyes shut. "I 'll be ——," retorted Bennett indignantly, "if I believe the Court is awake when he snores!" The Court slept no more while the hearing lasted, but the story goes that he "got even" with the counsel by deciding the case against him.

About the year 1856 Mr. Bennett removed with his family to Davenport, Iowa, thenceforward his home. He received the appointment of Judge of the Court for the Fourteenth Judicial District in Scott County, Iowa, in 1857. In 1872 he was chosen mayor of the city of Davenport, and was instrumental in introducing a system of water-works and other improvements. It is evident that though transplanted somewhat late in life, he took kindly to his new *habitat*.

His wife was Abby A. G., daughter of Moses Smith, a lawyer of Lancaster, Massachusetts. They had five sons and four daughters.

JACOB BENTON.

Son of Samuel S. and Esther (Prouty) Benton; born, Waterford, Vermont, August 19, 1814; admitted, 1843; practiced, Lancaster; died there, September 29, 1892.

Mr. Benton attended academies in Vermont, and graduated from the seminary in Manchester, in that State. In 1841 he commenced to study law with Heaton and Reed at Montpelier, and in a few months assumed the principalship of the academy at Concord Corner, Vermont, at the same time pursuing his law studies with Henry A. Bellows of Littleton. In 1843 he removed permanently to Lancaster. He entered the law office of Ira Young there, and became his partner. Mr. Benton was devoted to his profession, and relinquished its active duties only with his life.

In 1854 he entered the state legislature as a representative, and was rechosen in each of the two succeeding years. It was an exciting period in the politics of New Hampshire, and the name of General Benton (for he held the position of brigadier-general of militia) became prominent before the voters of his section. In 1867 he was elected representative in Congress. He kept his

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seat two terms, and was an active and useful member. His speech in February, 1868, in arraignment of the policy of President Johnson, had a wide circulation, and was considered a powerful exposition of the views of his party associates.

He was in person tall, well proportioned, erect, with a frank and open countenance. His candor and courage corresponded with his look. His law business was large, his methods were manly and straightforward. In conducting litigation he had no inclination for the technicalities and subtleties which are by some mistakenly deemed the indicia of a great lawyer. He preferred to trust to the intrinsic merits of his case, and to meet his opponents in the open field, where no advantage was to be taken. In his forensic addresses he selected the strong points in controversy, and handled them with logical power and skill, calling to his aid a good-humored wit, which enlivened his speech and drove home his arguments and illustrations. His native shrewdness and knowledge of men seldom misled him as to what could be successfully attempted, and his never-failing tact enabled him to make the most of the mistakes of his opponent, while exposing himself as little as possible.

Mr. Benton's powerful physique and prudent habits of life preserved his bodily and intellectual powers unimpaired to the last, and he was as capable of business at seventy-eight as in middle age. His death was the result of being thrown from his carriage.

He was married in 1860 to Louisa Dwight, daughter of General Neal Dow of Portland, Maine.

JOHN MACDONOUGH BERRY.

Son of John and Marianna (Hogan) Berry ; born, Pittsfield, September 18, 1827 ; Yale College, 1847 ; admitted, 1850 ; practiced, Alton ; died, Minneapolis, Minnesota, November 8, 1887.

Mr. Berry prepared himself for college at the academies in Pittsfield, Gilmanton, and Andover, Massachusetts, and studied for his profession with Arthur F. L. Norris of Pittsfield, and Ira Perley of Concord. He settled in practice at Alton in 1850, and lived there two years, the sum of his professional life in this State, during which, however, he gave promise of the eminence that he subsequently attained.

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His first removal was to Janesville, Wisconsin, for two years; thence to Austin, and afterwards to Faribault, Minnesota, where he practiced eleven years, and until he was elected an associate Justice of the Supreme Court of the State. In that position he was retained by successive elections to the time of his death, when he was the oldest of the associate Justices.

He had been a member of the territorial legislature of Minnesota in 1856–57, and a senator of the State in 1863 and 1864; and in each of those bodies was chairman of the judiciary committee. He was also a member of the board of Regents of the State University in 1860 and 1861.

Upon his decease a committee of the bar of the State presented to the Court a series of resolutions containing the highest tributes to his natural and acquired qualifications for the judicial station, his ability, learning, sense of justice, independence, and uprightness, and to his estimable private character.

In 1862 Judge Berry was married to Alice Parker. They had four children, a son and three daughters.

GEORGE ONSLOW BETTON.

Son of Hon. Silas and Mary (Thornton) Betton; born, Salem, June 8, 1807; Dartmouth College, 1835; practiced, Epping and Derry; died, Boscawen, June 25, 1864.

Mr. Betton pursued his law studies with his brother, Thornton Betton of Derry, and opened his office for practice in Epping about the year 1838. He remained there three years, and near the time of his brother's death in Derry returned to that town, and continued practice there until 1845, when he abandoned the law.

He afterwards became a clerk in the post-office in Boston, Massachusetts.

He never married.

NINIAN CLARK BETTON.

Son of Samuel and Anna (Ramsay) Betton; born, New Boston, January 10, 1787; Dartmouth College, 1814; practiced, Hanover; died, Boston, Massachusetts, November 19, 1856.

Mr. Betton was left an orphan before he was four years old. At the age of fourteen he was put into a store, but having no

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taste for trade, he succeeded in preparing himself at the Atkinson Academy for a liberal education.

He read law in part in the office of Ezekiel Webster at Boscawen, and in part in that of his more distinguished brother, Daniel Webster, at Portsmouth, and Boston, Massachusetts. In the latter city he was admitted, and began practice. Not long afterward, he transferred his residence to Hanover in this State, where he remained two or three years, and then returned to Boston. His professional experience in New Hampshire was too short to gain him any distinctive reputation here; but by the bar in Boston he was esteemed a capable lawyer and an honest man, well read in the learning of the law, and a skillful counselor. He held important positions in the city government and in the legislature of the State.

He married his cousin, Wealthy J., daughter of Silas Betton of Salem, and had three sons, one of whom, George E. Betton, succeeded him in the practice of law in Boston.

SILAS BETTON.

Son of James and Elizabeth (Dickey) Betton; born, Windham, August 26, 1767; Dartmouth College, 1787; practiced, Salem; died there, January 22, 1822.

Mr. Betton prepared himself for college under the tuition of the Rev. Simon Williams of Windham, served his legal apprenticeship in the office of Samuel Dana of Amherst, and settled as an attorney in Salem about the year 1790. He was the first lawyer in the place, and there was no friendly feeling, but a jealous suspicion among the common people in regard to members of his profession. When they came to know him, however, their prejudices thawed before his genial qualities, and he became well liked. His townsmen chose him to represent them in the state legislature in 1797 and the two following years, and again in 1810 and 1811. He was honored with a seat in the New Hampshire Senate in 1801, 1802, and 1803; and with two elections to the Congress of the United States, serving from 1803 to 1807. In 1813, when Josiah Butler was removed from the office of sheriff of Rockingham County, Mr. Betton was appointed in his place, and filled the office five years.

As a legislator he was attentive to his duties and true to his

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constituents, not a speechmaker, but quite capable of taking his share in the transaction of public business. His courage and stalwart vigor are said to have stood him in good stead in Washington, as there were fire-eating politicians in those times who used to threaten to use the argument of physical force upon their Northern opponents, and some of the latter felt safer to have a muscular friend like Betton for a companion in their walks abroad.

He was respectable as a lawyer, not a trier of causes, nor a mere money-seeker. In his dealings he was liberal, and is said to have lent a helping hand to the needy, and to have had the respect of all his neighbors. He was a contributor to the newspaper press, and possessed a plain and easy style of composition. Robert Dinsmoor, the "Rustic Bard," as he was termed, was his friend and warm admirer. In the volume of the latter's metrical productions, published in 1828, are several letters of Mr. Betton, and frequent mention of his name in terms of honest praise.

Mr. Betton's wife was Mary, eldest daughter of Matthew Thornton, one of the signers of the Declaration of Independence. He left seven children, two of whom became lawyers.

THORNTON BETTON.

Son of Silas and Mary (Thornton) Betton; born, Salem, April 3, 1800; Dartmouth College, 1820; admitted, 1823; practiced, Salem and Derry; died, Derry, September 16, 1841.

Upon his graduation from Dartmouth College, Mr. Betton entered the office of James Thom of Derry as a student, and after his three years' novitiate, set up practice in Salem, his native town. He continued there six years, in the last three of which he represented the town in the state legislature; and then removed to Derry.

He had the reputation of being a lawyer of ability, and was employed in some cases of importance. He had little of the open, outspoken manner of his father, but was rather reserved, and kept his own counsel. Perhaps from this circumstance he got the name of being something of a schemer, and men were cautious in their dealings with him. He was, however, a stirring man, and had a considerable business.

He married, in 1832, Mary E. B. H., daughter of Captain Caleb H. Hopkins of Portsmouth, and left three sons.

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ELIJAH BINGHAM.

Son of James and Mary (Willey) Bingham ; born, Lempster, February 24, 1800 ; admitted, 1825 ; practiced, Lempster and Alstead ; died, Cleveland, Ohio, July 10, 1881.

Mr. Bingham had some experience as a teacher before entering Dartmouth College, which he did from Appleton Academy, at New Ipswich, in 1818. Finding that he was not getting the full benefit of his collegiate instruction by reason of an imperfection in his hearing, he quitted his class in March, 1819, and the next year was admitted into the office of his brother, James H. Bingham, as a student at law. He completed his studies in 1825, and in October of that year made an excursion to Cleveland, Ohio. On his way he stopped at Buffalo, New York, on the very important occasion when the Erie Canal was opened amid great rejoicings, connecting the waters of the Great Lakes with those of the Hudson River.

Mr. Bingham was so much pleased with Cleveland that he made arrangements after reaching home to return thither and enter into the practice of the law. But the death of a brother at Lempster demanded his services at that place to settle the estate, and resulted in his opening a law office and receiving the appointment of postmaster at Lempster. He remained there but about a year, and then became his brother's successor in Alstead. He continued there until 1835, when he carried out his long-deferred plan of establishing himself in Cleveland, Ohio. His journey thither was accomplished by private carriage, by stage-coach, and canal, and occupied no fewer than nine days.

He engaged in the flour-milling business in Cleveland, which proving successful, he became the owner of real estate, and improved it in agriculture, horticulture, and in the cultivation of the vine for the purpose of wine manufacture.

In his early life Mr. Bingham was an intimate associate of Jonas Chickering, afterwards the well-known piano manufacturer. He watched the progress of the latter with much interest, and purchased the first instrument he made, June 23, 1823, for the lady who afterwards became Mr. Bingham's wife. The same piano, after being used nearly seventy years, was recently bought by Mr. Chickering's son, as a memento of his father.

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Mr. Bingham married Thankful C., daughter of Major Samuel C. Hutchinson of Alstead, October 25, 1827. They lived together long enough to celebrate their golden wedding. Of their seven children, two survived their father.

JAMES HERVEY BINGHAM.

Son of James and Lima (Hibbard) Bingham; born, Lempster, April 11, 1781; Dartmouth College, 1801; admitted 1804; practiced, Alstead and Claremont; died, Washington, District of Columbia, March 31, 1859.

Mr. Bingham was a classmate of Daniel Webster at Phillips Exeter Academy and Dartmouth College; read law in the office of Benjamin West at Charlestown, and commenced practice at Alstead. He remained in that place twenty-two years, and was chosen representative to the General Court four years, and a state senator three. He left Alstead for Claremont to assume the post of cashier in the newly incorporated bank in that town, at the urgent desire of George B. Upham, the president and chief stockholder of the bank. After fifteen years of faithful service Mr. Bingham resigned the office of cashier, and removed four years afterwards to Cleveland, Ohio, the home of his brother Elijah.

In 1840 Mr. Bingham, having become reduced in circumstances by reason of unfortunate investments, received a clerkship in the Department of the Interior at Washington, through the influence of Daniel Webster, and occupied it during the remainder of his life. The early friendship between these gentlemen was never forgotten by either. The correspondence between them has been published, and is creditable to the memory of both.

Mr. Bingham's first wife was Mary, daughter of Samuel Stevens of Charlestown. She died in 1818, and he married Charlotte M., daughter of William A. Kent of Concord. He left no children.

WILLIAM NOYES BLAIR.

Son of Joseph C. and Dolly (Noyes) Blair; born, Campton, June 23, 1834; practiced, Campton and Laconia; died, Campton, May 18, 1872.

Mr. Blair was educated at the academies in Plymouth and New Hampton, and read law with Napoleon B. Bryant of Plymouth,

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and Tolman Willey of Boston, Massachusetts. In that city he was admitted to the bar in 1857, and immediately returned to Campton to commence practice. A year later he transferred his office to Laconia. He was superintending school committee of Laconia in 1859; solicitor of Belknap County from 1861, two terms, until 1871; and state senator in 1870.

He is described by a friend as possessing an active, strong, and clear mind, well read in his profession, full of zeal, and ambitious of advancement; interested in all matters of public concern, sincere, and honorable. He was a good advocate, and conducted with success important prosecutions, while county solicitor. In a good number of litigated causes his services were retained, and he was regarded as one of the rising men of his time.

He married, August 5, 1862, Josephine V. Ranlett of Laconia, and left two daughters.

DANIEL BLAISDELL

Son of Hon. Elijah and Mary (Fogg) Blaisdell; born, Pittsfield, August 26, 1806; Dartmouth College, 1827; admitted, 1830; practiced, Haverhill, Lebanon, and Hanover; died, Hanover, August 24, 1875.

Mr. Blaisdell prepared himself for college mainly at Kimball Union Academy in Plainfield, under the tuition of Rev. Israel Newell. He studied law in the office of Joseph Bell at Haverhill. Two months after becoming an attorney he commenced practice as partner of John Nelson in Haverhill, and there continued for something over a year, when he removed to Lebanon. He stayed but little longer there, and then settled for life in Hanover.

In 1835 he received the appointment of treasurer of Dartmouth College, and held it till his death, a period of forty years, which is believed to be the longest term of service of any officer of that institution. He was a representative from Hanover in the legislatures of 1839, 1840, 1841, 1865, and 1866, and a senator in 1863 and 1864. He was also a presidential elector in 1860. In the year last mentioned he was chiefly instrumental in establishing the Dartmouth Savings Bank in Hanover; and in 1864 in organizing the Dartmouth National Bank; and became the president of both.

Mr. Blaisdell was noticeable for his pleasing address and gen-

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tlemanly manners. At the same time he was a keen business man, and looked well after the main chance. Industrious and zealous as a lawyer, and well versed in professional learning, he gained and preserved, in a remarkable degree, the esteem and confidence of the people among whom his life was passed.

He was married, May 30, 1832, to Charlotte Osgood of Haverhill. They had two children, a son and a daughter.

ELIJAH BLAISDELL.

Son of Hon. Daniel and Sally (Springer) Blaisdell ; born, Canaan, October 30, 1782 ; admitted, 1812 ; practiced, Canaan and Lebanon ; died, Lebanon, October 10, 1856.

Mr. Blaisdell was bred to the occupation of a shoemaker. At the age of twenty-seven, while working at his trade in Pittsfield, and having the responsibility of a wife and three children, he determined to become a lawyer. He studied in the office of a practitioner in Montpelier, Vermont. Being admitted there, he cast about for a while in search of a promising location, and at length settled in Canaan. Thomas H. Pettingill was already established there, and a second lawyer seemed to be a desideratum. Mr. Blaisdell remained twenty-one years in Canaan, and was often chosen to fill town offices, and in 1827 and 1828 was elected representative to the legislature. In 1829, when a great political change in New Hampshire occurred, Mr. Blaisdell transferred his allegiance from the Federal to the Jackson party, the immediate occasion of which was said to be an interview which he enjoyed with "Old Hickory," about the time of his inauguration.

In 1833 he moved to Lebanon, and about the same time was commissioned "side" judge of the Court of Common Pleas for the county of Grafton. This office he resigned in 1834, and was appointed in the succeeding year solicitor for the same county, and reappointed five years after. He was also the colonel of a regiment of militia.

Though Mr. Blaisdell appears to have found difficulty in obtaining entrance to the bar of this State, he is represented to have possessed a sufficiency of professional knowledge; and there is no question that he was a man of a decided character. In the "justice hearings," which were apt to be occasions of sharp encounters of words, at least, in his time, he was fully capable

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of holding his own, as he appears to have been, in fact, in every position that he occupied.

Judge Blaisdell was married, first, in 1803, to Mary Fogg of Hampton. She bore him eleven children. His second wife was Mrs. Mary Kingsbury of Plainfield. One of his sons was a lawyer.

NICHOLAS BLAISDELL.

Son of Robinson and Mary (Churchill) Blaisdell; born, Madison, March 29, 1832; practiced, Madison; died, Jacksonville, Florida, December 19, 1885.

Mr. Blaisdell obtained his education at the academy in Parsonsfield, Maine, and at the seminary in North Scituate, Rhode Island, where he completed his preparation for college. He then engaged in teaching school, two years in New Jersey, and afterwards several terms in Massachusetts. He entered the Harvard Law School in 1859, and after taking his degree of LL. B. in 1861, went into the office of Paine and Herrick in Boston, Massachusetts, and was there admitted. He remained in Boston until 1869, and then practiced two years in New York. In 1871 he returned to Madison, but never engaged much in the practice of the law afterwards.

He is represented as of fair legal attainments and ability, and a good scholar; a man of strict integrity, who entered with much zeal into whatever he undertook. He was many years superintendent of schools in Madison.

His wife was Martha C. Hood of Somerville, Massachusetts. They were married February 21, 1867, and had one child, a daughter.

ROBERT TIBBETTS BLAZO.

Son of Daniel and Abigail (Chapman) Blazo; born, Parsonsfield, Maine, August 11, 1797; admitted, 1830; practiced, Moultonborough and Sandwich; died, Parsonsfield, Maine, May 26, 1890.

Mr. Blazo, who lived to be the oldest of the lawyers admitted to the bar of Strafford County, prepared himself for college at the academy in Wolfeborough, and studied his profession with Samuel Emerson and Aaron B. Hoyt of Sandwich. He practiced four years at Moultonborough and five at Sandwich,

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and then returned to his native town in Maine to pass the remainder of his life. As a business lawyer he was esteemed to have excellent qualifications, but he had little ambition to appear in the higher courts. He was successful in the management of his affairs, and became one of the wealthiest men in his town. He took great interest in the cultivation of his lands, and retired from practice a few years before his decease.

He married Mary, daughter of James O. Freeman of Moultonborough, and had four children, two sons and two daughters.

JONATHAN BLISS.

Son of Jonathan and Martha (Martin) Bliss; born, Randolph, Vermont, July 15, 1799; Dartmouth College, 1824; admitted, 1828; practiced, Plymouth and Haverhill; died, Cleveland, Ohio, July 27, 1879.

Mr. Bliss read law at the school in Northampton, Massachusetts, with Joseph Bell at Haverhill, and William C. Thompson at Plymouth, and began practice at the latter place in 1828. In four years he changed his residence to Haverhill, and tarried an equal length of time, when he migrated to Gainsville, Alabama. There he carried on the practice of his profession to the end of his active life.

Up to the year 1861 he was extremely successful and prosperous. When the madness of secession began to rage in the South, he had acquired property of the value of a hundred thousand dollars. Knowing the peaceable but determined temper of the North as he did, he strove with all his might to dissuade his neighbors from rushing into armed rebellion, but all to no purpose. Soon he was summoned to declare himself on one side or the other, and reluctantly decided that he must cast his lot with the section where he dwelt. As an earnest of his sincerity he raised a military company, and armed and equipped them at an expense of twenty thousand dollars. They went into the Confederate army seventy-two strong, but only one sixth of that number ever returned to their homes. Mr. Bliss lost a large proportion of his property by the war.

As the greater part of his legal life was spent in Alabama, it seems proper to seek there for an account of him. In an amusing volume called "Flush Times in Alabama and Mississippi," by J. G. Baldwin, we find him described under the name of Jona-

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than Blass, as he was probably known to the uneducated Alabamians. He is represented as a distinguished member of the legal fraternity, who had maintained a leading position in the profession many years; his masculine sense, acuteness, and shrewdness relieved and mellowed by fine social habits and an original and genial humor. He had a remarkably keen and quick sense of the ridiculous, and some whims and prejudices. He is also described as an elder of the Presbyterian Church and a man of no small dignity of character. The judgment of one of the inferior officers of the law is thus pronounced upon Mr. Bliss in these words: "Old Blass knows, when it comes to hard law, all the law they is; but whether he can norate it from the stump, that is the question!"

There was no occasion to raise that question, apparently, for a much better judge, living in New England, who knew Mr. Bliss well, averred that he was not only a good lawyer but he could talk!

Mr. Bliss had three wives; he married, first, Lucretia, daughter of William Leverett of Windsor, Vermont; second, Mary, daughter of Dr. Samuel Kidder of Charlestown, Massachusetts; third, Maria Kidder of Medford, Massachusetts. His death occurred while he was upon a journey.

FRANCIS NEWTON BLOOD.

Son of Francis and Margaret (Patterson) Blood; born, Hillsborough, November 26, 1829; practiced, Hillsborough; died there, 1865.

Mr. Blood's father died while his son was quite young, and the latter grew up in very narrow circumstances, under the charge of his widowed mother. He worked in the factory at Hillsborough till he earned enough money to defray his expenses as a student at the Tubbs Union Academy in Washington. After tarrying there as long as his resources permitted, he went to Lowell, Massachusetts, and by manual labor acquired the means to enable him to begin the study of the law in the office of Samuel H. Ayer of Hillsborough. It was in 1853, probably, that he was admitted as an attorney, and he commenced practice in Hillsborough, in the same office which had been, years before, the scene of Franklin Pierce's early legal labors.

The voters of Hillsborough sent him as representative in the

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state legislature four successive years, beginning in 1861. He was an earnest and faithful member, and acted one or two years, at least, upon the judiciary committee. In his legal practice he was thorough, painstaking, and very methodical; in all his dealings he was upright and honorable. His financial management was excellent, and at his death he left an estate of considerable amount, which he had gained in the practice of his profession.

He was married, November 8, 1853, to Ophelia A., daughter of Rev. Joseph Barber of Alstead. They had no children.

WILLIAM BOARDMAN.

Son of William and Martha (Lane) Boardman; born, Newmarket, July 31, 1779; practiced, Farmington; died, Newmarket, February 4, 1808.

Mr. Boardman was educated at Phillips Exeter Academy, entering in 1798, at the age of eighteen. His legal studies he pursued in the office of Ebenezer Smith of Durham; and he entered upon practice in Farmington about 1806. But in the course of one or two years he returned to Newmarket, by reason of the failure of his health, it is supposed, and his early death occurred in that place.

WILLIAM RICE BOARDMAN.

Son of Dr. John H. and Susan R. (Rice) Boardman; born, Portsmouth, 1848; admitted, 1872?; practiced, Portsmouth; died there, February 24, 1880.

Mr. Boardman was educated in the public schools of Portsmouth and the Phillips Exeter Academy, and studied his profession under John S. H. Frink, in his native place. His practice never grew to be extensive, and was chiefly confined to his office, as he was so lame as to require the aid of crutches.

He was a good lawyer, of fine intellect and sound judgment, a most entertaining companion, with a large fund of information, a keen wit, and a ready appreciation of the ludicrous. His powers of imitation were excellent. As a friend he was steadfast, and it is believed that he never had an enemy.

He never married.

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BENJAMIN BORDMAN.

Son of Colonel Amos and Mary (Lewis) Bordman ; born, South Reading, Massachusetts, February 15, 1798 ; admitted, 1825 ; practiced, Ossipee, Bath, Concord, Sanbornton, etc. ; died, Concord, April 3, 1871.

At the age of twenty years Mr. Bordman was in Concord, engaged in teaching. There he remained, pursuing the study of the law in the office of Samuel Fletcher, his brother-in-law, till his admission in 1825. He then went to Ossipee, where he practiced three years ; then to Bath, and there entered into partnership with Ira Goodall. He stayed in Bath but a few months before he sold his interest to Andrew S. Woods, and tried his fortune in Conway. In 1832 he left Conway and returned to Concord, where he remained only a year, and then opened an office in Sanbornton. There and at Meredith Bridge and Gilford he passed the succeeding fourteen years. Lawrence, Massachusetts, next became his abode for nearly twenty years, when he went back to Concord until the termination of his life.

Mr. Bordman was evidently not averse to novelty and change, and could hardly have felt much local attachment. He informed Moody Kent, while at Concord in 1833, that he meant to go back to Strafford County, " he could make more money there." In his case, however, it is believed that the old adage about the rolling stone was verified, and that he failed to find an Eldorado in spite of all his removals.

All accounts agree that he was quite well informed in his profession, active, enterprising, and somewhat pushing. This naturally brought him sometimes in conflict with others. Wrangling among counsel in justice courts and in similar public contests was much in vogue in the earlier part of the century. A story is told of an encounter between him and Joel Eastman of Conway, in their earlier days, in which the latter, who was the stronger intellectually and physically, deposited his adversary under the table.

Mr. Bordman was ready of speech, and at some period of his life had a very large practice, and tried causes with considerable ability. He was probably not a very unfair specimen of the practitioners of his time.

It is stated in the History of Sanbornton that Mr. Bordman's house at Gilford " was for years the pleasant home of the judges during the sessions of the courts."

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His wife was Ann, daughter of Thomas Stickney of Concord. They had several children.

JONAS BAPSON BOWMAN.

Son of Dr. Zadock Bowman ; born, Gilmanton, c. 1795 ; admitted, 1820 ; practiced, Bedford and Manchester ; died, Bedford, c. 1861.

This gentleman studied his profession first with Jeremiah H. Woodman of Rochester, and afterwards with James Parker of Bedford, whose partner in practice he afterwards became and remained until the death of Mr. Parker in 1822. Mr. Bowman continued practice in Bedford for more than twenty years, and then established his office in Manchester. There for a time John Porter, Jr., was his partner. They did a considerable business, and made many writs.

Mr. Bowman managed and argued causes in court to some extent, and was quite successful as a collecting lawyer. He dealt a good deal in real estate, and had a turn for speculating and money-making. He was reasonably successful, and when he withdrew from practice had accumulated a fair property.

He became known outside of his own vicinity chiefly by a number of suits which he brought against towns in two or more counties for his own benefit, as was believed, though perhaps not in his own name, to recover penalties for failure to keep up guide-boards at the intersection of highways. The statute, in the Revision of 1842, rendered a town liable to a penalty of one dollar for each month that it failed to maintain a guide-board at any such intersection, for one year before suit brought, the penalty to inure to the benefit of the person who might sue therefor. In most towns there were scores of instances on by-roads where the law was not complied with, and as Mr. Bowman understood it, those towns were liable to pay twelve dollars for every such instance of neglect. His suits promised, therefore, to bring in many thousands of dollars from the delinquent towns.

Naturally the "fathers" of the towns sued were much alarmed at the prospect of being so severely mulcted, and engaged some of the leading lawyers in their counties to resist the claims. They arranged to "pool" their cases, and held careful consultation to make the strongest defense possible. It was mainly confined to questions of law, for there was no denying the fact that the towns

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were at fault. After grave comparison of views, nine several points of law were agreed upon to be raised to the court, to which one of the counsel, James Bell, suggested a tenth, "to round out the number," as he said; which was added, though perhaps regarded as of minor consequence.

When the Court passed upon the points, they overruled the nine, severally, but held the tenth valid; namely, that a town was liable to only a single penalty, however many cases of neglect were shown. Consequently none of the towns sued had to pay more than twelve dollars at the utmost; and as a matter of course no more costs than damages. As the plaintiff's expenses in preparing and conducting the suits must have been many times greater than all he could recover, the speculation proved disastrous in every way. In 1846 the statute was so far amended as to rid it of its most obnoxious feature.

Mr. Bowman was chosen moderator of Bedford a number of years, and a representative in the legislature of the State in 1838.

His wife was Asenath Ladd. They had two sons, one of whom was bred to the profession of the law.

MOSES HAZEN BRADLEY.

Son of Hon. John and Hannah (Ayer) Bradley; born, Concord, March 15, 1782; Dartmouth College, 1807; admitted, 1811; practiced, Bristol and Sanbornton; died, Concord, June 22, 1834.

Mr. Bradley studied his profession in the office of Samuel Green, in his native town. In 1811 he settled in practice in what is now Bristol Village, which was up to the year 1820 a part of the town of Bridgewater, and there, with the exception of the years 1813 and 1814, when he made a temporary removal to Sanbornton, his professional life was passed. He was chosen a member of the school committee from 1824 to 1827; representative to the legislature in 1823; and state senator in 1824. As a lawyer he is represented as of fair abilities and learning, though he was not an advocate. Moody Kent in his diary mentions him in terms of respect and friendship, which speak well for his standing.

In the autumn of 1832 his health began to fail, and slow consumption ensued. He was removed to the home of his brother, Richard Bradley, in Concord, but his last sickness was prolonged for more than a year and a half before his death.

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His wife was Mary, daughter of Dr. Peter Green of Concord. They were married in 1817, but had no children.

WILLIAM BRIGGS.

Son of Eliphalet and Mary (Cobb) Briggs; born, Keene, June, 1773; Dartmouth College, 1799; admitted, 1803; practiced, Charlestown; died there, January 27, 1847.

The subject of this sketch began his career on the shoemaker's bench, in Keene, in the same building where Samuel Hunt had his office. But his ambition looked to something above "leather and prunella," and by dint of diligence and economy he accomplished a collegiate education. One year he studied law with Peleg Sprague in Keene, and then finished his apprenticeship with Benjamin West in Charlestown; and in the latter town he established himself in practice.

He had no gifts as an advocate, was forbidding in his personal appearance and stern in his manner, but his legal knowledge, integrity, and fidelity were so well known and relied upon that his services were in much request. The very men who were angry with him on account of his bluntness of speech were sure to intrust him with their business if they wanted it done squarely and promptly.

One man, in a fit of anger, carried to his office, on purpose to affront him, a pair of boots, to be mended. This allusion to his former trade Mr. Briggs was too sensible to resent, and he told the man to leave the boots and he would attend to them. He procured a shoemaker to repair them, and compelled his insulter to pay the bill, with a commission to himself for attending to the business.

He was equally philosophical in regard to his personal uncomeliness. One day a stammering man vented his spleen upon him in language something like this: "You m-miserable old cuss, you, y-you are the w-worst looking man I ever saw. You r-run away from your M-Maker before you was half m-made up!" Mr. Briggs was a sober man, but this ebullition overcame his gravity, and he shouted with laughter.

Mr. Briggs married, December 1, 1811, Elizabeth, daughter of John Willard of Charlestown. They had no children.

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ABIATHAR G. BRITTON.

Born, Westmoreland, c. 1776; admitted, 1798; practiced, Orford; died, Boston, Massachusetts, December 14, 1853.

Neither the parentage nor the educational outfit of Mr. Britton has been ascertained. The tradition is that he came to Orford from Fryeburg, Maine, in consequence of an agreement between Judah Dana and himself to cast lots which of them should settle in Fryeburg and which in Orford. The latter place fell to Britton, and he proceeded thither about the year 1798. He was admitted to the bar of the Superior Court in Grafton County in 1800, probably two years after he became an attorney. He rode into Orford on horseback, his entire effects in his saddle-bags, books in one side and clothing in the other.

It was not long before he gained a paying practice and the favorable opinion of his townsmen. He took much interest in public affairs, was many years auditor of the selectmen's accounts, and moderator, and was often engaged as counsel for the town. In 1835, 1836, 1838, 1839, 1850, and 1851 he was representative to the General Court, and in 1816 and 1817 a member of the state Senate. He was also a delegate to the constitutional convention in 1850–51.

Mr. Britton was a good but not a profound lawyer, and had a remarkable talent for business. His method of dealing with his clients was peculiar if not unique. He kept no books of account, but for all services rendered which were not at once paid for he took demand notes, so that in process of time he had immense files of those promises to pay. His habit was to sue every note once a year, which was expected by the debtors, as a matter of course. If the note was paid, well; but in a great number of cases, where the debtors were responsible, new notes were given to cover the amount of the old ones, with interest and costs; and these in their turn were sued the next year, and so on. In the nature of things the lawyer's gains rapidly accumulated by this process. It is only fair to say, however, that not a few lawyers of that time treated their debtors much more severely than this, and exacted from them usurious interest, which Mr. Britton never did. In his long and successful practice he acquired a large fortune.

Mr. Britton was a wit and a most genial companion. Isaac

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Patterson liked to rehearse the pleasantries of the members of the bar when they used to hold their symposiums during the sessions of the courts, before the introduction of railroads. Mr. Britton appeared to advantage on those occasions. His bright sayings and his melodious voice were great attractions. He sang the "Vicar of Bray" with prodigious effect; and rehearsed in rhythmical style a deed of warranty and mortgage of land, in a manner which fairly brought down the house. Mr. Britton used to tell, too, his early experience with *his* justice of the peace, who at first was very scrupulous lest his name might be appended to a writ filled out with an unrighteous cause of action, but after tasting the sweets of his fees became quite ready to give the plaintiff judgment in every case where his attorney did not make the preconcerted signal for him to do otherwise.

One morning, after being compelled to share his bed with another counselor of huge physical development, Mr. Britton, who was of slender frame, remarked to his friends that he was going to petition the court to have his dower set off in the bed, so that he could have his thirds.

The store of jokes and fun at Mr. Britton's command is said to have been inexhaustible. He was the master, too, of wide information on most subjects of general interest, and nothing gave him more pleasure than to impart it to others, especially to the younger portion of the community.

In person Mr. Britton was graceful; he was polite in manner, with a soft voice. His whole bearing was rather aristocratic, which, it is said, in his later years did not tend to render him generally popular.

His wife was Miss Fowle, from Watertown, Massachusetts, a sister of the wife of William Smith of Hanover. She is described as an elegant woman. They had two sons and several daughters.

TITUS BROWN.

Son of Elias and Rebecca (Keyes) Brown; born, Alstead, February 11, 1786; Middlebury College, 1811; practiced, Alstead and Francestown; died, Francestown, January 31, 1849.

Mr. Brown read law with James H. Bingham of Alstead, and began to practice there in 1816. After one year he removed to Francestown, the scene of his chief life work. He was popular

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and able, and was in 1819 elected a representative to the General Court, and reëlected four times. In 1823 he was appointed to the solicitorship of the county, and resigned it after two years to accept a seat in Congress, to which he was chosen in 1825 and again in 1827. In 1842 and 1843 he was a member of the state Senate, and president of that body the latter year. From 1844 to 1846 he was bank commissioner, and from 1846 to 1849 railroad commissioner, of the State.

Mr. Brown was a firm but not violent partisan, honest and upright, compelling the respect of his political opponents. In the law he was well versed, practical, and careful. His mental powers were of a superior order, not, however, of rapid operation, but moderate, discerning, and not apt to err. He filled a large space in the political arena for many years, and perhaps was better known in that character than as a lawyer, though as a lawyer he was much above mediocrity.

His wife was Jerusha Hutchinson, and he had a son and a daughter.

JOSEPH HUNTINGTON BUCKINGHAM.

Son of Joseph T. and Melinda (Alvord) Buckingham; born, Boston, Massachusetts; practiced, Lebanon and Lancaster; died, Lancaster.

Mr. Buckingham's father was the celebrated editor, Joseph T. Buckingham, who had thirteen children, including three lawyers, two ministers, and one physician. This, presumably the eldest son, was educated and fitted for his profession in Massachusetts. It is not known how long, or where, he practiced it before coming to New Hampshire, but as he had been a correspondent for the Boston "Courier" from Europe and from Washington, District of Columbia, it is clear that he had not given his undivided attention to the law. He first settled in Lebanon as an attorney in 1861, and represented the proprietors of lands in Dixville. From some transactions respecting them arose a long-continued litigation in which he was employed. In 1864 Mr. Buckingham changed his place of business to Lancaster, and remained there till his decease, about the year 1873.

He was endowed with good mental powers, but was thought not to show much faculty for business. It is supposed that he had little general practice.

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His wife was Eliza Willett of Boston. They had one daughter and three sons.

JOSEPH BUFFUM.

Son of Joseph and Sally (Haskell) Buffum; born, Fitchburg, Massachusetts, September 23, 1784; Dartmouth College, 1807; practiced, Keene; died, Westmoreland, February 23, 1874.

Mr. Buffum began the study of the law with Noah Cooke of Keene, and was admitted an attorney of the Court of Common Pleas as early as 1812, and opened his office in Keene. He was elected a representative in the Congress of the United States in 1819, and served through one term, but declined a reëlection. The reason of his quitting political life is said to have been his extreme distaste for the corrupt methods which he witnessed at the national capital.

On returning to New Hampshire he did not resume his law practice, but retired to his paternal home in Westmoreland. There he spent the residue of his long life in seclusion, seldom appearing off his farm, except for urgent reasons. He avoided all female society save that of his mother, and depended on his newspapers and books for company. His abilities were much above mediocrity, he was fond of reading, his judgment was sound, and his honesty not open to suspicion.

He never married.

EDMUND BURKE.

Son of Elijah and Grace (Jeffers) Burke; born, Westminster, Vermont, January 23, 1809; admitted, 1830; practiced, Colebrook, Whitefield, Claremont, and Newport; died, Newport, January 25, 1882.

Mr. Burke's father, to encourage his son's ambition for study, relinquished all further claim upon his services when he was fifteen, and he began to learn Latin under the instruction of Henry A. Bellows, then a student at law in the office of William C. Bradley of Westminster. A year later, young Burke began to acquire the rudiments of the law in the same office, and improved his time diligently during the five years which the rules of Vermont prescribed. As soon as he was admitted, he began practice in Colebrook, but after a little time moved to Whitefield, where he met with encouraging success in the law, and also

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evinced his decided predilection for politics. His party friends in 1833 offered him the editorial charge of the "Argus," a weekly newspaper then lately established in Claremont, and he removed thither, without delay. The place of publication of the newspaper was changed at the end of a year from Claremont to Newport, the editor at the same time removing his residence to the latter town. Another paper, called the "New Hampshire Spectator," was absorbed by the "Argus," under Mr. Burke's management, while he at the same time carried on his law business, a continually increasing one.

The "Argus and Spectator" was strongly political, and Mr. Burke's able editorial articles gained him much credit within and outside of the State, insomuch that in 1837 he was invited by Felix Grundy, James K. Polk, and others interested in the Nashville "Union," the leading organ of their party in Tennessee, to remove thither and assume the charge of that journal. Mr. Burke prepared at once to accept the flattering offer, but his friends dissuaded him from it by engaging to support him at the next election for member of Congress, if he would remain in this State. He took his seat as representative in 1839, and was reëlected for the two following terms, six years in all. He was emphatically a working member, and though among the youngest men in the House, he exerted no little influence. He spoke seldom, and with thorough knowledge of his subject. He was the chairman of a committee appointed in 1844 to report upon the suffrage movement in Rhode Island known as the "Dorr Rebellion." The elaborate report on that subject, of nearly one hundred printed pages, was written, and the voluminous documents on which it was based, two hundred and thirty-two in number, were all arranged by him for publication, between Saturday night and the Monday morning following. He was compelled to this haste by reason of an unexpectedly early adjournment of Congress. It was a remarkable instance of his power of rapid and accurate literary workmanship.

President Polk, without solicitation, gave Mr. Burke the appointment of Commissioner of Patents. During his occupancy of the office he contributed to the Washington "Union" a series of articles upon the tariff question, under the signature of "Bundelcund," which were widely circulated in pamphlet form.

In 1850 he returned to his home in Newport, and devoted him-

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self during the remaining active years of his life chiefly to the practice of the law. He had at different times associates in business, and enjoyed a large and important practice in the state and federal tribunals. From his experience in the government service he had become an expert in questions of patents, and was much employed in cases of that character. He never forsook his habit of writing for the public press, but contributed frequently through life to the columns of the journals of his party in this and the neighboring States. His literary tastes and desire for useful information made him a diligent reader, and led to his collecting an exceptionally large and choice private library.

He was united in wedlock, December 1, 1840, with Ann, daughter of Francis Matson of Stoddard. His second wife, whom he married November 29, 1866, was Mary Elizabeth, daughter of Stephen Whitney of Newport. By his first marriage he had one daughter.

GEORGE WILLIAM BURLEIGH.

Son of John A. and Sarah (Briard) Burleigh; born, South Berwick, Maine, April 11, 1830; Dartmouth College, 1851; admitted, 1854; practiced, Somersworth; died there, April 25, 1878.

Mr. Burleigh at fourteen became a student in the Phillips Exeter Academy, and thence entered college. His professional studies were carried on in the office of Nathaniel Wells and Charles H. Bell, in Somersworth, and when admitted he succeeded to the place of the latter, who removed to Exeter. Mr. Burleigh remained in active practice at this time from 1854 till 1856, when his father, who was agent of the Great Falls Manufacturing Company, was compelled to visit Europe for his health. During his absence, the son was selected to act in his father's place, and upon his father's death in 1860 he was made the permanent agent. This arduous and responsible post he administered until his resignation in 1874. It gave him an overmastering power and influence in the town, which he used with discretion and for the best interests of the people. Every reasonable project that made for the welfare of his townsmen was certain to obtain his support and that of the wealthy corporation which he represented. The fruits of his public spirit and foresight are still enjoyed by those who survived and have succeeded him.

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Few men, after fourteen years' abandonment of practice, could return to the law without feeling and appearing "rusty." But Mr. Burleigh resumed his legal labors as if they had never been interrupted. In fact, his experience in outside affairs seemed to have made him a better lawyer than before. He advanced at once to a front position among the leading counselors of the State. He took real pleasure in his work; his active mind reveled in solving the intricate problems of the law and in the keen encounters of the court-room. He pronounced this portion of his life to be his "golden age." It was only too short. In four years from the time of his resumption of practice he was struck down by paralysis, and survived the attack but two months.

Mr. Burleigh was a man of brilliant parts, handsome in person, accomplished, and a universal favorite. In political life he might easily have taken the highest prizes, had his inclination prompted, but he never went beyond the state legislature, in which he was a representative in 1863 and 1864, and senator in 1865 and 1866. He was a trustee of Dartmouth College from 1870 to the time of his decease, and for some years maintained at his own expense a lectureship in the institution. He was a director in the Waumbeck, Great Falls, and Newichawannock Woolen companies, in the P. S. and P. and Conway railroads, in the Great Falls National Bank, and a trustee of the Somersworth Savings Bank.

He was married, September 2, 1854, to Louisa H., daughter of John S. Bryant of Haverhill, and left a son and two daughters.

JOHN ADAMS BURLEIGH.

Son of John and Abigail (Smith) Burleigh; born, Gilmanton, January 2, 1800; practiced, Somersworth; died there, August 22, 1860.

Young Burleigh, under the tuition of Dudley Leavitt, the almanac maker, was fitted for Yale College, but never entered. He went into the office of his brother, William Burleigh of South Berwick, Maine, and there completed the study requisite for admission to the bar of York County. Until the year 1832 he practiced in South Berwick, and then removed to Great Falls Village in Somersworth. He was a keen, shrewd, far-sighted lawyer and man of business, and faithful and true to his employers. After six years' practice in Great Falls he was appointed

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agent of the Great Falls Manufacturing Company. He rapidly made himself master of all the details of their complicated and extensive business, and with extraordinary foresight and knowledge of men filled the chief positions in the establishment with competent officers, and gave liberal aid to every movement that promised advantage and increased prosperity to the town. Under his administration the corporation brought much gain to the stockholders, and he became "the best citizen of the town."

His legal acumen and experience found also full employment in the various questions and suits which arose respecting the rights of the company to the use of the waters in the Salmon Falls River and the several ponds and streams connected with it. It was not until after Mr. Burleigh's death that the change in the legislation of the State known as the "Flowage Act" was placed upon the statute book. It was in an action brought by the Great Falls Manufacturing Company that the constitutionality of that enactment was put in issue, and was affirmed in an elaborate opinion given by Chief Justice Perley, reported in 47 N. H. Reports, 444.

Mr. Burleigh married, first, Sarah Noble Briard of Portsmouth, June 3, 1829. They had seven children. His second wife was Emily Ann Colcord of South Berwick, Maine, who survived him. Two of his sons studied the profession of the law, though one did not practice.

JOHN BURNHAM.

Son of Samuel and Mary (Perkins) Burnham; born, Dunbarton, September, 1780; Dartmouth College, 1807; practiced, Hillsborough; died there, April 6, 1826.

This was a member of a family of educated men of some note, and was prepared for college under the instruction of the Rev. Dr. Harris of Dunbarton. He studied law with Samuel Bell of Francestown, and David Starrett of Hillsborough, whose brother-in-law he afterwards became. Being licensed as an attorney in 1811, he settled in Hillsborough in April, 1812, after the mysterious disappearance of Mr. Starrett, and finished his life there. He is described as a good scholar, of a strong and discriminating mind, but wanting ambition and industry. His literary taste was well known, and he was called on to make public addresses on

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various occasions. While an undergraduate in 1806, he composed a eulogy on Eliphalet Hardy, a fellow student at Dartmouth College, and he delivered a Masonic address before the Blazing Star Lodge at Henniker in 1809, and an oration before the citizens of Hillsborough on the Fourth of July, 1810. All these productions were published.

His wife was Sarah H., daughter of Rev. Joseph Appleton of North Brookfield, Massachusetts. Their marriage took place January 15, 1811, and their children were five in number.

WILLIAM BURNS.

Son of Dr. Robert and Mary (Merrill) Burns; born, Hebron, April 25, 1821; Dartmouth College, 1841; admitted, 1844; practiced, Littleton and Lancaster; died, Plymouth, April 2, 1885.

It was in the academies in Plymouth and in New London that William Burns received his pre-collegiate training. He studied law with Leonard Wilcox at Orford, and in the Harvard Law School in Cambridge, Massachusetts, and opened an office in Littleton in the autumn of 1844. There he stayed until May, 1846, when he purchased the business of John S. Wells at Lancaster, and removed thither. A year later Governor Williams made him solicitor for Coös County. The duties of this office, in addition to his considerable and growing civil business, demanded all his time and care. He became associated in practice with Hiram A. Fletcher, and remained his partner for eighteen years. They were the attorneys of the Atlantic and St. Lawrence Railroad, and in 1854 Mr. Burns took passage over the line of the railroad for Portland, on professional business. At Stark, on his way, a terrible collision of trains took place, and Mr. Burns was among the passengers seriously injured. It was only after a long confinement, and by the most assiduous care, that he was brought again to a condition to pursue his profession. But his fractured limbs were never strong, and he was never again wholly free from pain. Still, with indomitable resolution he returned to his office and his ordinary pursuits.

He gave up general practice in 1876, though he continued to respond to applications for legal counsel up to the last year of his life.

By the testimony of all his associates Mr. Burns was a law-

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yer of great ability and learning, and an advocate of the foremost rank. Having once undertaken a cause, he ever afterwards identified himself with it. He was a keen but honest fighter, and never failed to keep his engagements with opposing counsel. He was most successful in presenting cases to the jury. His diction was simple and clear, his manner thoroughly earnest and indicative of his own conviction of the justice of his cause. When he was sarcastic or severe, which he well knew how to be, it was evidently because he believed such a style was merited.

He took early to politics. His party was chosen before he left college, and he addressed a great political assemblage while he was yet an undergraduate. Here, too, he was a manly opponent. He believed in the doctrines of his party, but not in unfair methods. He was chosen to the state Senate in 1856 and 1857, and was a candidate for Congress at three elections, but his party was in a minority. To the constitutional convention of 1876 he was chosen by the concurrence of all parties of his townsmen.

The winters of the last few years of his life he spent in part away from his home, in Boston or in Plymouth.

He was married on his twenty-third birthday to Clementine E. Hayes of Orford. She was his devoted nurse in his various illnesses, and survived him. They had no children.

JOSEPH BURROWS.

Son of Joseph and Rachel (Blaisdell) Burrows ; born, Lebanon, Maine, August 24, 1813 ; practiced, Effingham, Holderness, and Plymouth ; died, Plymouth, April 5, 1885.

Mr. Burrows' education was acquired in the common schools and from private study. He had a strong desire for a liberal education, prepared himself for college, and put by his scanty earnings to pay the expenses of his four years' course ; but the illness of his younger brother frustrated his plans. With the generosity which he manifested towards his father in later life, he devoted his savings to the relief of the sufferer.

Mr. Burrows studied his profession in the office of Josiah Dearborn in Effingham, and at the Harvard Law School. After his admission to the bar he practiced first at Effingham until 1844, then at Holderness (now Ashland) for fourteen years, and the rest of his life at Plymouth. In each of those places he was

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chosen to local offices, and after his removal to Plymouth he was a representative in the legislature in 1871, 1872, 1873, and 1874, and a member of the executive council in 1878–79. He was for some time a member of the board of education, and a trustee of the State Normal School. Dartmouth College gave him the honorary degree of Master of Arts in 1874.

Mr. Burrows possessed a good legal mind, was industrious and persevering, and his name is associated in the judicial Reports with several actions of more than usual consequence.

In his legal work he was careful and thorough. His belief in his client and his cause was implicit, and called forth his best efforts and the whole of his resources. He had the faculty of stating a case lucidly and strongly. He was a positive, outspoken man, of very decided opinions, and never slow to defend them. He had his likes and his dislikes, but he had a kind heart at bottom. If he showed some of the foibles, he showed also much of the strength of a self-made man. His practical good sense, his general information gained by much reading, his powers of conversation and genial humor, are pleasantly remembered by all who associated with him.

His wife was Elizabeth, daughter of Josiah Dearborn of Effingham. She bore him six children, of whom five outlived him.

His oldest son, Joseph M. Burrows, follows the profession of his father.

CHARLES W. BURT.

Son of Willard and Martha (Wood) Burt ; born, Westmoreland, November 6, 1820 ; practiced, Colebrook ; died, Detroit, Michigan, April 11, 1859.

Mr. Burt was a student in Mount Cæsar and Lebanon academies, and for two years in the Norwich (Vermont) University, and maintained a high rank in his classes. He studied law in the office of Levi Chamberlain of Keene. After his admission in Cheshire County, he proceeded to Colebrook, and established himself in practice in 1848. He continued there six years, and then went to Detroit, Michigan. In that city, in 1855, he formed a law partnership with A. B. Maynard, which lasted through the remainder of Mr. Burt's short life.

His surviving partner describes him as of decided ability, and

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of the best repute for legal learning and capacity and for purity and uprightness of character. At a meeting of the Bar of Detroit he was eulogized by several of the leading members as an untiring student, a lawyer of sound judgment, and of growing, solid reputation.

He married in January, 1854, Julia, daughter of Horace Loomis of Colebrook. She died in Detroit, Michigan.

JAMES DEARBORN BUTLER.

Son of Hon. James H. and Mary Hersey (Dearborn) Butler; born, Nottingham, November 9, 1842; Harvard College, 1864; admitted, 1867; practiced, Portsmouth; died, Nottingham, November 13, 1877.

Mr. Butler was prepared for college at the Phillips Exeter Academy, and studied law in Portsmouth with John S. H. Frink, whose office-mate he became after his entrance to the bar. In his short professional experience, though he performed his part in the varied work of the office, he never grew to that fondness for his calling which induces men to forsake their amusements and other pursuits in order to make it their one chief object. His abilities, however, were excellent. His entire professional life little exceeded the term of eight years, for the shattered condition of his health led him to pass his last year or two at the home of his father in Nottingham.

He was married, June 16, 1869, to Sarah Hersey, daughter of John O. Cilley of Nottingham, and left two children.

JOSIAH BUTLER.

Son of Nehemiah and Lydia (Wood) Butler; born, Pelham, December 4, 1779; Harvard College, 1803; practiced, Pelham and Deerfield; died, Deerfield, October 29, 1854.

Mr. Butler attended the academies at Londonderry and at Atkinson, and completed his preparation for college under the instruction of William M. Richardson, afterwards Chief Justice. He began the study of the law in Amherst in the office of Clifton Clagett. There he remained but a short time, when he went to Virginia, and spent three years in that State, teaching an academy, and reading law in the offices of Governor Cabot and of Jacob Kinney. Having been admitted to practice in Virginia, he

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returned in 1807 to New Hampshire, and set up his office in his native town. During the two years that he continued there, he was chosen to represent his townsmen in the state legislature, but he found Pelham an unfavorable place for one of his profession, and in 1809 removed to Deerfield.

In 1810 he was commissioned sheriff of Rockingham County, but his service was cut short in 1814 in an extraordinary way. In 1813, upon a political change in the State, the old Superior Court was abolished, and a new Supreme Court established in its stead. The effect was to indirectly oust the former judges from office, and a new bench was appointed. The old judges and the party to which they belonged contended that the establishment of the new court did not and constitutionally could not abrogate the former court, or deprive its judges of their position. Accordingly the judges attended at the terms fixed by law, and for a time attempted to keep up the semblance of the departed court. The new clerks, however, and the parties and juries, generally adhered to the new establishment. Two of the sheriffs, Benjamin Pierce of Hillsborough County, and Josiah Butler of Rockingham, stood up for the old judges, and obeyed their orders. For doing this, they were at the next session of the legislature removed from their offices by address. The party to which they belonged naturally regarded them as political martyrs, and upon its return to power handsomely provided for them both.

In 1815 and 1816 Mr. Butler was chosen a representative in the legislature, and in 1816 was appointed clerk of the Court of Common Pleas. In 1817 he was elected a representative in the Congress of the United States, and continued such by successive elections for six years. In 1825 he was commissioned a justice of the Court of Common Pleas, and occupied the position eight years, when the court was abolished. He then returned to practice at the bar, and also attended to the cultivation of his farm. He was subsequently appointed postmaster of South Deerfield, and retained that office to the time of his death.

Judge Butler was a man of good, but not extraordinary abilities. He was not distinguished as an advocate, though he argued causes to some extent, and while in Congress made some speeches. He had studied his profession diligently, and was an excellent practicing lawyer. His business for many years was extensive, and carefully and successfully attended to. In the performance

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of his legislative duties he fully met the expectations and won the approbation of his party friends. He was an upright and just judge. He is said also to have had uncommon facility in writing for the press.

His wife was Hannah, daughter of Richard Jenness of Deerfield. They were married in 1811, and had nine children. Two of their sons became lawyers in other States.

NEHEMIAH BUTLER.

Born, Pelham, February 22, 1824; admitted, 1848; practiced, Boscawen; died there, August 10, 1883.

Mr. Butler acquired his education at the academies in Derry and in Pembroke. His law studies he prosecuted in the office of Asa Fowler of Concord, and at the Harvard Law School. Settling in the village of Fishersville, in Boscawen, in the spring of 1848, he remained there in successful practice till November, 1852, when he was appointed clerk of the courts in Merrimac County, and changed his residence to Concord. In 1860, on account of the condition of his health, he resigned the clerkship, and resumed his practice in Fishersville. In 1862, and again in 1865, he was elected a county commissioner, serving six years in the office. Upon the decease of Jonas D. Sleeper in 1868, he for the second time filled the position of county clerk for a year. In 1869 and 1870 he represented Boscawen in the state legislature; and in 1876 was commissioned Judge of Probate, and continued to discharge the duties of that office as long as he lived.

Judge Butler was a very good lawyer, not brilliant, but a solid, judicious, careful man. He was not ambitious to become a leader at the bar. His business, for the place where he lived, was a very good one. As a public officer his conduct left nothing to be desired. "As careful and trustworthy as Judge Butler," was the highest commendation among all who knew him.

His wife was Mary M., daughter of Richard Gage of Boscawen. They were married in 1849, and had six children, of whom three outlived their father.

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ERASMUS BUTTERFIELD.

Son of Isaac and Hannah (Chamberlain) Butterfield ; born, Westmoreland, January 24, 1769 ; Dartmouth College, 1792 ; practiced, Westmoreland, Marlborough, Fitzwilliam, and Keene ; died, Westmoreland, December 27, 1828.

Mr. Butterfield was admitted an attorney of the Court of Common Pleas in the county of Cheshire, September, 1795, and probably entered into practice there soon afterward. As early as 1803 he removed to Marlborough, and a year later to Fitzwilliam, and remained there till 1808 or 1809. In 1811 he was living in Keene, but in 1814 had returned to Marlborough, where he passed the most of his remaining years. From his changes of residence it would appear that he could not have been anchored by his business to any single locality. The historian of Fitzwilliam intimates that he suffered a lack of popularity among the common people from the extent to which he maintained the dignity of his profession, but we learn that he was chosen a representative in the legislature from that town in 1807. He was not specially distinguished as a lawyer, so far as is shown by record or tradition.

His wife was Esther, daughter of Phillips Sweetser of Marlborough. They were married in 1803, and had nine children.

SAMUEL BUTTERFIELD.

Born, Goffstown, December, 1791 ; admitted, 1816 ; practiced, Epping, Andover, and Concord ; died, Concord, July 4, 1860.

Mr. Butterfield studied his profession with Thomas Jameson and Josiah Forsaith of Goffstown, Levi Woodbury of Francestown, and John Harris of Hopkinton, and was admitted to the bar at Amherst "on motion of Benjamin Champney in the name of all the attorneys practicing in that court," as the record states. In 1817 he commenced to practice in Epping, and remained there, with the exception, perhaps, of a short interval at Goffstown, until 1823, when he established himself in Andover. He left Andover in the latter part of November, 1855, after a residence there of about thirty-two years, and moved to Concord. He was postmaster of Andover during the administration of Jackson and Van Buren, representative in the state legislature in 1846 and

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1847; and member of the executive council in 1851 and 1852. When the State Capital Bank of Concord was organized in 1853, Mr. Butterfield was chosen its president, and so remained as long as he lived.

He was a man of great energy and industry. He married young, and before he reached the age of twenty-five was left a widower with three children, and this before he had acquired his profession. But he never lost an opportunity to add to his resources, in traffic or speculation, and even had the magical power, not common to lawyers at least, of making the cultivation of the soil yield him profitable returns. To accomplish this he did not neglect the old adage, however, but day after day, in spite of an inherited liability to rheumatism, put his own hands to the plough. He seems to have been a veritable Midas, for he drew gold from a stage line in which he was concerned, and was a late investor in eastern lands, which he could not sell again, but which afterwards proved highly remunerative.

Mr. Butterfield was not a lawyer of wide reading, but had the principles of jurisprudence well defined in his mind. He was a clear-headed and safe adviser. He had few causes in the trial courts, and was not gifted with the faculty of speech-making; but on occasion he pronounced a terse, pointed statement, that was as effective as an oration. As a draftsman of legal instruments he excelled.

He was married three times; first, in 1810, to Nancy M. Vose of Francestown; second, in 1835, to Mary B. Ware of Pomfret, Vermont; and third, in 1854, to Anna Maria Abbot of Charlestown, Massachusetts. By his first two marriages he had children. Two of his sons became lawyers.

WILLIAM BUTTERFIELD.

Son of Samuel and Nancy (Vose) Butterfield; born, Goffstown, September 18, 1815; Dartmouth College, 1836; practiced, Gilmanton and Nashua; died, Concord, February 1, 1884.

Although Mr. Butterfield won the chief success of his life in the field of political journalism, he began his career at the bar. After leaving college he was one year in the office of his father in Andover, and two years in that of D. F. Cook, Maumee City, Ohio, in which State he was admitted an attorney in July, 1839.

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On April 1, 1840, he began practice at the Iron Works village in Gilmanton. Two years afterwards he removed to Lowell, Massachusetts, and edited the Lowell "Advertiser" until the 1st of January, 1844; then returning to Gilmanton he resumed practice at "the Corner" until April, 1846. But he preferred the vocation of an editor to that of a lawyer, and having by numerous contributions to the press satisfied himself that he could depend on his pen for a livelihood, he purchased the "Gazette" newspaper at Nashua, and there fixed his abode for some seven months. On the fourth day of August, 1846, Henry H. Carroll, the proprietor of the "New Hampshire Patriot" at Concord, died, and that newspaper was sold to Mr. Butterfield, who assumed the editorial charge of it in the succeeding December. This was then the principal organ of the Democratic party of New Hampshire, and the control of it gave Mr. Butterfield a leading position in the State. It demanded abilities of a high order to conduct the paper to the general satisfaction of his party, great prudence and careful consideration of many interests, but he passed through the ordeal successfully.

In 1845 he was chosen assistant secretary of the state Senate; from 1847 to 1855 state printer jointly with John M. Hill. His connection with the "New Hampshire Patriot" ceased in 1873. The next year, on his party succeeding to power in the State, he was made Secretary of State. In 1878 he was appointed a member of the State Board of Equalization, and in 1879 auditor of public printer's accounts, and he was kept in both positions until the day of his death.

Mr. Butterfield married, December 31, 1844, Rosamond M., daughter of Findlay W. Robinson of Gilmanton, and left three sons.

CHARLES HUTCHINS BUTTERS.

Son of Thomas and Theodate (Drake) Butters; born, Canterbury, January 29, 1818; Dartmouth College, 1837; practiced, Pittsfield and Concord; died, Pittsfield, May 13, 1860.

Mr. Butters began the study of the law with Ira Perley in Concord, then engaged for a time in teaching at Petersburg, Virginia, and elsewhere, and afterwards entered the office of Messrs. Hayes and Cogswell in South Berwick, Maine, to complete his

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preliminary term. In 1843 he was received as the partner of Moses Norris, Jr., then in practice in Pittsfield. He resided in that place until 1853, and then after a few months in Meredith removed to Concord, which continued to be his place of business ever afterwards. From Pittsfield he was chosen a representative in the legislatures of 1850 and 1851, and a delegate to the constitutional convention of 1850.

He was bright, able, and popular. He had many of the qualities of a first-rate lawyer, quickness of apprehension, keenness of discrimination, a wide mental grasp, and sound reasoning powers. A distinguished judge remarked of him: "As a young man he had one of the best and clearest legal minds I ever knew, and was a very good advocate." Nothing appeared necessary to insure him a place among the distinguished men of his time, but steady application to the labors of his profession. But the ease with which he turned off work tended to disincline him to habits of regular industry, and a taste for convivial indulgence began to undermine his usefulness and standing. This increased upon him until his untimely death.

He was married at Manchester, December 10, 1845, to Julia Ann Hunt, adopted daughter of Amasa Trescott of Dover.

TIMOTHY CALL.

Son of Moses and Mehitable (Jackman) Call; born, Boscawen, February 13, 1763; Dartmouth College, 1790; practiced, Gilmanton and Moultonborough; died, Lake Champlain, July, 1804.

Mr. Call began business as an attorney in Gilmanton in 1793. In that town and in Moultonborough he remained until 1801. From the accounts that have come down to us, he was indicted and convicted in 1802 for passing counterfeit money. How he was enabled to be at large two years afterwards is not known; but the "Farmer's Cabinet" of July 31, 1804, contained this notice: "Drowned, on the west side of Lake Champlain, the noted Timothy Call, of money-making memory."

He was married to a lady named Cleveland, of Connecticut.

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EDMUND CARLETON.

Son of Dr. Edmund and Joanna (Coffin) Carleton; born, Haverhill October 29, 1797; Dartmouth College, 1822; practiced, Haverhill and Littleton; died, Littleton, March 11, 1882.

Mr. Carleton was prepared for college at the Haverhill academy. After taking his bachelor's degree he was tutor a year in a gentleman's family in Washington, District of Columbia, and studied law two years in Virginia and one with Joseph Bell of Haverhill. His first practice was in Haverhill in 1826, about a year; then he moved to Littleton. On account of the delicacy of his health, he could do little beyond a collecting business. He was a good lawyer and a cautious and exceedingly deliberate counselor, averse to litigation, preferring to reconcile differences without recourse to the law.

After some years he engaged in the business of lumbering, as better, suited to his health, but he was never very successful in it, and finally made shipwreck of his property in the White Mountains Railroad.

He was a practically religious man and an early abolitionist. His house was a refuge for fugitives from slavery to free Canada. Later he was a Free Soil candidate for Congress, but unsuccessfully. He was a prominent citizen, widely known throughout northern New Hampshire, not simply in his legal capacity but as a business man and a philanthropist.

In the year 1836 he married Mary K., daughter of Thomas Coffin of Boscawen, and became the father of seven children.

HARVEY CARLETON.

Son of Rodolphus Carleton; born, Winchester, 1810; admitted, 1840; practiced, Chesterfield, Keene, and Winchester; died, Winchester, December 20, 1885.

Mr. Carleton's father was a cloth-dresser, and his grandfather was of Coleraine, Massachusetts. He himself received a good academical education; then turned his attention to the study of the law, in Keene, and was admitted in Cheshire County. The next fourteen years he practiced his profession in Chesterfield. In 1854, the last year of his stay in that town, he held the office of school commissioner for the county. The next year he trans-

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ferred his residence to Keene, and remained in practice there almost twenty years. He went to Winchester to reside, upon receiving the appointment of Judge of Probate in 1874. For two years he filled the office, after which he did little or no professional business, but lived very quietly upon his farm.

He never belonged to the order of hustling lawyers, but had the respect of the community as a well-intentioned and upright man.

JOHN P. CARR, JR.

Son of John P. and Emily A. (Cochran) Carr ; born, Enfield, May 1, 1845 ; admitted, 1867 ; practiced, Andover ; died, Tipton, Missouri, July 12, 1874.

Mr. Carr acquired his education at the Union Academy in Canaan and the Pinkerton Academy in Derry, and read law with John M. Shirley at Andover, whose partner in practice he became. His connection with Mr. Shirley continued until he removed to Missouri in May or June, 1869. In the brief period of his professional life in this State his qualities could have been known to but few; but Mr. Shirley, in his impulsive, warm-hearted way, wrote of him as follows: "As a scholar he was not above the average, but his perception of principles was nice ; his practical judgment excellent; his business capacity great; and his industry and energy knew no bounds. He was free from bad habits, and thoroughly upright, with a high sense of honor. A devoted husband and father and a true friend, he was always ready to stand by those he loved, regardless of consequences to himself. With a high ambition in his profession 'he pulled on the bit till his tireless energy slew him.' "

Mr. Carr was married in May, 1869, to Jennie H. Ayers of Canterbury. They had two children, one of whom, a son, survived his father.

PHILIP CARRIGAIN.

Son of Dr. Philip and Elizabeth (Clough) Carrigain ; born, Concord, February 20, 1772 ; Dartmouth College, 1794 ; practiced, Concord, Epsom, and Chichester ; died, Concord, March 16, 1842.

Mr. Carrigain's commencement part at his graduation from college was a poem on agriculture, which was considered so meritorious that it was printed in the "Columbian Centinel" and other

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papers of the time. He read law in the office of Arthur Livermore of Holderness, and began practice in his native town. His engaging personal qualities, his reputation for talents and learning, his gift of bright speech and easy versification, his readiness to take part in all festive occasions, all combined to surround him with popularity. No political, agricultural, or social gathering was complete without his presence. A toast, a speech, and a poem were always ready in his prolific brain. He complimented the ladies, flattered the farmers, and won the plaudits of all. For years he was a constant attendant at all convivial occasions.

In 1805 and the three following years he was chosen Secretary of State. In 1806 he was one of an "association of gentlemen" who carried on a newspaper in Concord called the "American Patriot;" the same which, at a later date, under the title of the "New Hampshire Patriot," and under the editorship of Isaac Hill, won for itself an unexampled political influence throughout the State. In 1821 and the two succeeding years he was clerk of the state Senate. The principal work by which Mr. Carrigain will be remembered, however, is probably the map of the State of New Hampshire, issued by him by authority of the legislature in 1816. The surveys of some of the towns were made by incompetent persons, and it required ingenuity if not actual force to fit them perfectly together. But the map when completed was a great improvement over any preceding one, and was for that day a most creditable performance. Mr. Carrigain's convivial tastes and diversified pursuits did not conduce to his success in his profession. He gained his early popularity cheaply, and as time went by his law office became less and less inviting. He looked to other employments for a livelihood, until it was too late for him to become a thorough lawyer. As years went by he saw others far less bountifully endowed by nature than himself, by sheer plodding outstripping him in the race. It was the old story of the hare and the tortoise. He tried several places which he thought afforded better openings for a legal practitioner, Loudon, Chichester, and Epsom, between 1822 and 1836, but returned in the latter year to Concord, and there spent the remainder of his days in rather reduced circumstances. He had partaken gayly of the foam and sparkle of life, but the dregs were tasteless and uninviting. He was never married. The friends of his better days erected his tombstone.

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Many anecdotes are related of Mr. Carrigain. While he was secretary, a letter was received by the governor, from the celebrated John Randolph of Roanoke, upon the seal of which was impressed the motto "Fari quæ sentiat." The governor and council, all ignorant of Latin, called upon the secretary, as a "college learned" man, to translate the mystic words. It is to be feared that he comprehended the meaning of the motto no better than they, but he had a ready wit and was not to be posed; so he rendered the phrase "God and our country," which was duly admired by his auditors, being not only patriotic but religious as well.

Being frequently called upon for his signature to recommendations to the state authorities for appointments to office, his practice was to affix his beautifully executed autograph to every such paper that was laid before him; but he wisely had an understanding with the powers that be, that his signature was to go for nothing unless it was supplemented by a flourish beneath it, representing an eagle's beak.

Mr. Carrigain's numerous poetical effusions were never gathered into a volume, and indeed, though temporarily popular, were hardly worth preservation, in general. As a matter of curiosity, however, some stanzas of one of the best of them are here given. They were written on occasion of the reception of General Lafayette in Concord, June 22, 1825, and are remarkable as applying to New Hampshire the expression "the Granite State," for the first time.

LAFAYETTE'S RETURN.

North and South, and East and West,
A cordial welcome have addressed
Loud and warm, the Nation's Guest
Dear Son of Liberty;
Whom tyrants cursed when Heaven approved,
And millions long have mourned and loved,
He comes, by fond entreaties moved,
The Granite State to see.

Bliss domestic, rank, wealth, ease,
Our guest resigned for stormy seas
And for war's more stormy breeze,
To make our country free;
And potent Britain saw dismayed,
The lightning of his virgin blade

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To Freedom flash triumphant aid
But death to tyranny.

Now in his life's less perilous wane,
He has recrossed the Atlantic main,
Preserved by Heaven to greet again
The land he bled to save ;
And those who with him, hand in hand,
Fought 'neath his mighty sire's command, —
Alas, how thinned that gallant band,
Band of the free and brave !

Such were the men our land did save,
Nor e'er can reach oblivion's wave
(Though booming o'er the statesman's grave),
Our deep, redeemless debt.
No ! Merrimac may cease to flow,
And our White Mountains sink below ;
But naught can cancel what we owe
To them and Lafayette.

BUEL CLINTON CARTER.

Son of Sanborn B. and Marie A. (Frost) Carter ; born, Sanford, Maine, January 4, 1840 ; Yale College, 1862 ; practiced, Wolfeborough and Dover ; died, Rollinsford, December 11, 1886.

Mr. Carter was fitted for college at the Phillips Exeter Academy, and immediately after completing his collegiate course entered the thirteenth regiment of New Hampshire Volunteers as a first lieutenant, and proceeded to the seat of war. He was severely wounded at Fredericksburg, Virginia, was afterwards promoted to be captain, and subsequently brevetted major. After honorably serving to the close of the war he returned to New Hampshire, and prepared himself, under the direction of his father, Sanborn B. Carter of Ossipee, for admission to the bar. He first established himself at Wolfeborough about 1870, and remained there ten years, taking a position of prominence as a sound and successful lawyer. While there he held the appointment of bank commissioner from 1872 to 1875, and that of county solicitor from 1876 to 1878.

In 1880 he removed his home to Rollinsford and his office to Dover, where he became the partner of William F. Nason. There he was again appointed bank commissioner in 1882, and a third

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time in 1885. This post of course interfered with his professional practice, but he did enough to demonstrate his capacity and reliability.

He married Ellen Frances, daughter of Hon. James M. Burbank of Saco, Maine, May 16, 1866, and left no descendants.

SANBORN BLAKE CARTER.

Son of Daniel and Betsey B. (Blake) Carter ; born, Rochester, February 20, 1819 ; practiced, Ossipee ; died there, July 8, 1881.

Mr. Carter received his education at the academy in Alfred, Maine, and read law with John T. Paine, afterwards of Boston, Massachusetts, and with Charles W. Woodman at Dover. He established himself in practice in Ossipee about 1841, and there remained throughout his life. During the greater part of that time he was an occupant of some official station. For years he was moderator, clerk, or school committee of his town ; he represented it in the state legislature in 1850 and 1851, and in 1869 and 1870, and was also a delegate to the constitutional conventions of 1850 and 1876. He was solicitor of the county from 1845 to 1850 ; school commissioner from 1850 to 1854 ; register of Probate from 1851 to 1856, and register of Deeds from 1874 to the time of his decease. He is described by one who knew him as "a lawyer of good repute ; courteous and agreeable in his manners ; personally popular ; and in probate matters once regarded as the leading lawyer in the county."

In October, 1852, Mr. Carter was seriously injured by a collision of trains on the Boston, Concord, and Montreal Railroad, and never fully recovered from the effects of the accident.

He married, first, Marie Antoinette Frost, January 20, 1839 ; and second, Mary Abbie Sweat, September 30, 1868. The former was the mother of his three children.

SAMUEL CARTLAND.

Son of Elijah and Abigail (Scales) Cartland ; born, Lee, March 15, 1791 ; Dartmouth College, 1816 ; admitted, 1822 ; practiced, Haverhill ; died, Exeter, Maine, February 24, 1852.

Mr. Cartland was connected with a family of Friends somewhat noted for their intellectual capacity. He was educated at

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the Phillips Exeter Academy and Dartmouth College, and studied his profession with Joseph Bell, leader of the Grafton County bar at Haverhill. In that town he began practice, on his admission in 1822, and was soon marked as a rising man, professionally and politically. In 1825 he was chosen a representative in the legislature, and in 1829, 1830, and 1831 was elected a member of the Senate of the State. In 1829, upon the resignation by Abner Greenleaf of the presidency of the Senate, Mr. Cartland was chosen to succeed him in the office. In 1831 he was again chosen president of the Senate, and as such became acting governor of the State, and presided in the council in that capacity for a couple of days, until the newly elected governor (Dinsmoor) was inaugurated.

Mr. Cartland resigned the office of president of the Senate in July, 1831, to accept the commission of Judge of Probate for the county of Grafton. The duties of that office he discharged with ability for about one year, and then relinquished it, owing probably to the delicacy of his health, which soon after compelled him to resort to a milder climate. He was afterwards in Mobile, Alabama, for a time, employed in the business of the Southern Collecting Agency, and about 1840 he took up his residence in Baltimore for about ten years. Receiving then an appointment to a clerkship in the Treasury Department, he went to Washington, District of Columbia, for a year or two. In 1851 the consumptive malady which had long hung over him induced him to seek the home of his relatives in Exeter, Maine, where he lingered until his death.

Judge Cartland possessed talents and attainments which qualified him for high position, nor was he lacking in ambition. But he had none of the craft of the politician, and he had the mortification to see inferior men distance him in the race for promotion, merely by continual pushing and adroit management. That he was disappointed in his political aspirations there can be no doubt. In his last sickness he gave directions for the disposal of his correspondence, and added, sadly, that "his life would probably not go into history."

In every position he occupied, his ability was conspicuously displayed, and he won universal respect by the sterling integrity of his character.

He never married.

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ASA PIPER CATE.

Son of Simeon and Lydia (Durgin) Cate ; born, Sanbornton (now Tilton), June 1, 1813 ; admitted, 1838 ; practiced, Sanbornton ; died, Northfield, December 12, 1874.

Mr. Cate was educated at the academies in Sanbornton and in Boscawen ; and read law under the direction of George W. Nesmith of Franklin. Upon his admission, in 1838, he went into practice in Sanbornton Bridge, a short distance from his residence in Northfield.

Mr. Cate was of a slender constitution, and, as one of his students remarks, "hardly ever knew what it was to be well." Yet feeble as he was, he was always busy. He was colonel of a regiment of militia ; moderator of the meetings of his town for thirty years and upwards ; representative in the legislature in 1839, 1840, 1864, 1865, and 1866 ; state senator in 1844 and 1845, and president in the latter year ; county solicitor from 1844 to his resignation in 1851 ; railroad commissioner from 1849 to 1851 inclusive ; delegate to the constitutional convention of 1850 ; candidate for governor in 1858, 1859, and 1860 ; and Judge of Probate from 1871 to within a few months of his death. In addition to this he was a trustee and secretary of the New Hampshire Conference Seminary for fifteen years ; a director of the Boston, Concord, and Montreal Railroad ; and president of the Citizens' National Bank at Tilton, from the time of its establishment, as long as he lived. Moreover he superintended the cultivation of his farm, which was well tilled and produced valuable crops.

In the various public trusts thus showered upon him he acquitted himself to the satisfaction of all reasonable men. He was not brilliant, but rather a dealer in facts, and of sound practical judgment. As a Judge of Probate he was especially the right man in the right place.

Colonel Cate was a good lawyer and an upright man. By nature he had no taste for contention, and rather avoided the trial of causes in court, but liked the office employment of conveyancing and counsel. Yet, if occasion required, he showed that he could hold his own in a contest. He had a good voice, was a ready speaker, and his words "always fitted the thought."

The historian of Sanbornton represents him as a "genial gen-

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tleman, who enjoyed the confidence of his townsmen to a large degree, and who lived and died a conscientious Christian."

Colonel Cate was united in marriage, in 1840, to Clara Proctor of Franklin, who, with two daughters, survived him.

JOHN COLBY CAVERLY.

Son of John S. and Nancy J. Caverly ; born, Barrington, August 3, 1852 ; admitted, 1879 ; practiced, Dover ; died there, June 4, 1891.

Mr. Caverly attended the academy at New Hampton, and finished the prescribed course in the seminary at Northwood. His legal study he pursued in the office of Josiah G. Hall of Dover, whose partner he afterwards for a time became. A man of more than ordinary talents, and of a good legal mind, the chief drawback upon his advancement in his profession was the infirmity of his health. For a year or two he was city solicitor, and for a longer period a trustee of the Public Library. He was a well-informed, sensible, and practical man, and in the trial of causes and the cross-examination of witnesses showed especial skill. In the midst of his busy life disease disqualified him for active exertion, and after two years' suffering he sank beneath it.

He left a wife and one or two children.

JOHN CURTIS CHAMBERLAIN.

Son of Deacon John and Mary (Curtis) Chamberlain ; born, Worcester, Massachusetts, June 5, 1772 ; Harvard College, 1793 ; admitted, 1796 ; practiced, Alstead and Charlestown ; died, Utica, New York, December 8, 1834.

Benjamin West of Charlestown superintended Mr. Chamberlain's legal studies until he was admitted an attorney. He first settled in Alstead, in 1796, and there passed eight years, when he went back to Charlestown as the partner of Mr. West. This relation continued until Mr. West's death in 1817. Mr. Chamberlain lived on in Charlestown till 1826, and then left the State, going first to Honeoye Falls, Monroe County, New York, and thence to Utica, where his career terminated.

Mr. Chamberlain, like his law instructor, had little ambition outside of his profession. He was a few times pressed into the office of moderator of town meetings; was once a representative in the General Court, and once a representative in Congress, and

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probably had no desire to repeat his experience in either position. But he liked his profession, especially the exciting public portion of it. He aimed to be a popular advocate, and was highly successful. He did not accomplish his purpose so much by diligent preparation and study, but depended largely upon his innate resources, which seldom failed to rise to the requirements of great occasions. He had a winning and flexible voice, capable of taking his audience into his confidence by its conversational tones, and of rousing enthusiasm in his passages of impassioned declamation. His command of language was complete; the apt word and the felicitous expression came at his call. It rather detracted from his standing, in the estimation of judicious men, that he was studiously negligent of his dress; but he thought it added to his popularity with the masses. Others, in later times, have made the same mistake.

For many years he was one of the leading advocates of his section, in causes of magnitude and consequence. His retainers extended beyond his county, and he followed the circuit in probably one half of the State, but he had little taste for the tame labors of the office.

One of the *causes célèbres* in which Mr. Chamberlain appeared was that of the *State* v. *Ryan*, tried in Cheshire County, in 1811. Ryan was a handsome, intelligent young Irishman, but extravagant and dissipated. In a fit of desperation and recklessness he armed himself one day, and bade a quiet traveler "stand and deliver" on the highway. He could not have expected much booty, and he got nothing but some small silver. But he had technically been guilty of highway robbery, a crime at that time punishable with death. Apprehended at once without resistance, and secured in jail, it is no wonder that the fearful disproportion of the penalty to the offense excited wide sympathy for the culprit.

Mr. Chamberlain was retained to defend him. The evidence that the prisoner committed the act was overwhelming. The defense of insanity, which the counsel boldly set up, and which has been so much overworked in later times, was a novelty then. Under the scrutiny of scientific alienists of our own time the defense would have melted away like a morning vapor. But the youth of the accused and the hardship of his case pleaded in his favor, and there was no lack of witnesses who were willing to testify to their opinion that the culprit was "out of his head."

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His counsel's argument to the jury was most effective, drawing tears from the strong men of his audience, and rousing indignation against the Draconian law which would doom so slight an offender to the gallows. The prisoner was triumphantly acquitted.

Mr. Chamberlain had one bad habit, which was not uncommon in his generation, and unfortunately has survived to our times, of indulging rather overmuch in strong drink. On one occasion he was employed to try a critical cause arising in Grafton County, and his client stipulated beforehand with him that he should abstain from all liquor until the trial was over. Mr. Chamberlain agreed to do so, and kept his word. But the client had reason to regret his precaution, for the counsel, missing the stimulus to which he was accustomed, became tame and spiritless (in a double sense), blundered through his task in a perfunctory manner, and failed to win his verdict in the end.

In his early life Mr. Chamberlain gave considerable attention to the cultivation of literature, and was the writer of the "Narrative of the Captivity of Mrs. Johnson," which has been several times republished, in this country and in Great Britain.

He was married, December 25, 1797, to Nancy, daughter of Hon. John Hubbard of Charlestown, and sister of Hon. Henry Hubbard. They had nine children. His oldest son, bearing his name, was a lawyer in western New York.

LEVI CHAMBERLAIN.

Son of Deacon John and Mary (Curtis) Chamberlain; born, Worcester, Massachusetts, May 14, 1788; practiced, Fitzwilliam and Keene; died, Keene, August 31, 1868.

Mr. Chamberlain entered Williams College, and remained there two years; and then without completing his course took up the study of the law, at first with his elder brother, John C. Chamberlain of Charlestown, and afterwards with Levi Lincoln of Worcester, Massachusetts. He was admitted at the latter place in December, 1813, and came at once to Keene, and remained there about five years, in the mean while acting for a time as assistant clerk of the Court of Common Pleas. In 1819 he changed his place of residence to Fitzwilliam. He was repeatedly chosen to the office of moderator, and of school committee there,

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and represented the town in the legislature of the State eight consecutive years, from 1821 to 1829. In 1827 he was commissioned solicitor of Cheshire County, and served through his term of five years; and was state senator in 1830 and 1831.

He returned to Keene in 1833. In 1849 and 1850 he was the candidate of his party for the governorship of the State, but the party was in a hopeless minority. In 1861 he was appointed a delegate to the "Peace Congress" which attempted vainly to avert the great civil strife which was too certainly impending.

Mr. Chamberlain has been justly termed "one of the leading lawyers of the State." He was well read in his profession, sensible and judicious in counsel, and tried his causes in court with ability. His manners were quiet and dignified, and well comported with his tall and rather aristocratic figure. In his intercourse with others he was genial, and he always had something bright and pertinent to say. His witty remarks were abundant, but always kindly, and never left a sting behind. It was he who originally invited his brethren of the bar to visit the site of the new court-house, by quoting to them the lines of the old hymn, —

> "Ye living men come view the place
> Where you shall shortly *lie!*"

Many of his witticisms are still remembered, but they are apt to lose their aroma when transferred to the printed page. One, however, is so genuine a Hibernicism that it especially deserves to be recorded. Mr. Chamberlain, at an evening party, was one of the last to go to the dressing-room to resume his hat. Knowing that exchanges of head-gear were sometimes made on such occasions, he had taken the precaution to wear his very worst tile. Perhaps he had amused himself with the idea that some other guest might have made an involuntary and disadvantageous "swap." But he found his own property safe. "What rascal has carried off *his* good hat, and left me *my* poor one!" he exclaimed.

Mr. Chamberlain was a good lawyer, a good citizen, a good man, and left behind him none but pleasant memories.

His wife was Harriet A., daughter of Dr. Josiah Goodhue of Hadley, Massachusetts. They were married in April, 1835.

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RICHARD CHAMBERLAIN.

Of the few educated lawyers who appeared in the province of New Hampshire in the seventeenth century, Richard Chamberlain was one. He was a son of William Chamberlain of London, gentleman, and was entered a student at Gray's Inn, May 3, 1651. He arrived at Portsmouth, in this country, in December, 1680, with the royal appointment of secretary of the province. By the commission which created Edward Cranfield governor, Chamberlain was made a member of his council; and, October 23, 1682, the governor appointed him recorder of deeds and clerk of all the courts of judicature within the province. These offices he kept, together with those of clerk of the council and justice of the peace, until 1686, when Governor Dudley recommissioned him clerk of the courts of the province of New Hampshire. Not long after this his name disappears from our records, he having returned to England, without doubt.

The last link which connects him with New Hampshire was the issue of a pamphlet of thirteen pages in London in 1698, entitled "Lithobolia, or the Stone-throwing Devil," containing an account of the alleged persecution of the family of George Walton at Great Island, by the flinging of stones and other missiles by unseen hands, which was attributed to diabolic agency. It purported to be written by "R. C., who was a sojourner in the same family the whole time, and an ocular witness of those diabolical inventions." R. C. was undoubtedly Richard Chamberlain. He evidently believed that poor Walton was the victim of the spite of the infernal powers; but modern incredulity accounts for the phenomena which he related as the work of neighbors whose ill-will Walton had provoked, and of mischievous youngsters whose pranks have deluded older and wiser heads many times before and since.

BENJAMIN CHAMPNEY.

Son of Ebenezer and Abigail (Trowbridge) Champney; born, Groton, Massachusetts, August 20, 1764; admitted, 1786; practiced, New Ipswich; died there, May 12, 1827.

The early educational advantages of Mr. Champney were limited to the common schools and occasional instruction from his

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father. He entered his father's office as a student, and in 1786 began to practice at Groton, Massachusetts. In 1792 he removed to New Ipswich.

He filled the office of selectman many times, and was postmaster twenty years. He was one of the projectors and original proprietors of the first cotton factory built in the town. His judgment was sound, and his advice and opinions commanded general confidence. He was fairly well read in his profession, and had a respectable acquaintance with English literature. Unfortunately some of his business plans were unsuccessful, so that he lost much of his property late in life.

Charles H. Atherton described him as "a dapper, lively man; not much of a lawyer, but obliging and clever, and stood well with the bar. He had a great taste for music, and often attended meetings for the performance of music; and when at home was generally singing or fiddling."

His first wife, whom he married in 1792, was Mercy Parker. She died in 1795, after having borne him three children. In 1809 he was again married, to Rebecca Brooks of New Ipswich. By this union he had seven children, nearly all of whom lived to maturity.

EBENEZER CHAMPNEY.

Son of Solomon and Elizabeth (Cunningham) Champney; born, Cambridge, Massachusetts, April 3, 1744; Harvard College, 1762; practiced, New Ipswich; died there, September 10, 1810.

This gentleman was said to have been a good scholar, particularly in the Latin tongue. After his graduation from college he first studied divinity with the Rev. Caleb Trowbridge of Groton, Massachusetts, and preached for a time, receiving a call to settle as a minister in Township No. 1, now Mason, which he declined. He decided afterwards, perhaps from a change in his religious opinions which is said some time to have occurred, to become a lawyer, and studied with Samuel Livermore at Londonderry, and was admitted in 1768. In June of the same year he settled in New Ipswich, and remained there till 1783. In the difficulties which occurred with the British government, and through the early stages of the Revolutionary war, he was what was termed a "moderate Tory," believing that the peace might and ought to

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remain unbroken by mutual concessions of both parties. But he never became very obnoxious to the active Whigs, and was well satisfied with the result of the war.

From 1783 to 1789 he resided in Groton, Massachusetts, and while there represented that town in 1784 in the General Court of that commonwealth. He then returned to New Ipswich, and there continued through life. He was appointed county solicitor in 1789, and Judge of Probate in 1793. The latter office he held till his resignation on account of ill health, a short time before his decease. The bar of Hillsborough County passed a vote in 1802 that Clifton Clagett should present an address in their behalf to Mr. Champney, advising him to accept the office of Chief Justice, presumably of the Superior Court. Though he did not comply, he was well adapted to a judicial station by his scholarship, his legal learning, his soundness of judgment, and his personal dignity. But of course he was not the equal of Jeremiah Smith, who accepted and adorned the place in question.

Judge Champney had for many years a considerable business, being the only lawyer in an extensive tract of country, and for some time, in connection with his son Benjamin, kept an office in Groton, Massachusetts, as well as in New Ipswich. The late Charles H. Atherton described him as "a man of great good sense and judgment, and a good lawyer, but who never exercised himself as an advocate. . . . Such was his intuitive clearness of thought that his decisions carried great sway. He was particularly distinguished for the technical accuracy and conciseness of his professional draughts. They always contained whatever was necessary, without one word to spare."

He was married, first, in 1764, to a daughter of the Rev. Caleb Trowbridge of Groton, Massachusetts; second, in 1778, to Abigail, daughter of Samuel Parker; and third, in 1796, to Susan Wyman. By his first marriage he had seven children, and by his second four.

LUTHER CHAPMAN.

Son of Samuel and Eleanor (Belden) Chapman; born, Keene, December 28, 1778; Dartmouth College, 1803; admitted, 1806; practiced, Swanzey, Fitzwilliam, and Troy; died, Fitzwilliam, August 15, 1856.

Mr. Chapman was the son of a farmer. He pursued the study of the law with John C. Chamberlain of Charlestown. In 1806

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he located himself in Swanzey, but after remaining there about two years removed to Fitzwilliam, where he resided twenty-eight years. In 1816 and 1817 he represented the town in the state legislature. In 1836 he established himself in Troy, being the only legal practitioner who ever settled there. After a residence of nineteen years in Troy he returned to Fitzwilliam, where, about a year later, his death ensued.

Mr. Chapman is described as having in his best days tried causes to some extent, before the jury. An anecdote shows that if he was not eloquent, he had the wisdom not to waste words. An action which he brought, when it came on for trial, appeared to him on the evidence to be so perfect that he did not incline to weaken it by bolstering it up by a long speech. "Gentlemen," said he, "this is nothing more nor less than a question of common sense." Short but sufficient. The jury applied the test, and returned their verdict for his client.

Mr. Chapman cultivated music, and played upon an instrument which has of late fallen rather into disuse among amateurs — the German flute. He was an ardent politician, too, though it does not appear that he figured in any public position beyond that of representative.

In later life it is said his docket dwindled, until it consisted of only a single action, in which he, personally, was the defendant. The wits of the bar used to interrogate him, at the beginning of every term, how matters stood between the plaintiff and himself. At length he informed them that there was a prospect of the suit being ended, "for," said he, "I told the plaintiff he might take fifteen dollars and go to hell, and I guess he will do it!"

He was married, February 9, 1808, to Sally, daughter of Samuel King of Chesterfield, who outlived him. They had no children.

ARTHUR CHASE.

Son of Bishop Carlton and Harriet (Cutler) Chase; born, Bellows Falls, Vermont, October 21, 1835; Norwich University, 1856; practiced, Claremont; died there, November 20, 1888.

Mr. Chase read law in the office of George Ticknor in Claremont, and took his degree of LL. B. at Harvard Law School in 1859. Admitted to the bar the same year, he set up in practice in Claremont, but by reason of his slender physical constitution

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he soon relinquished that pursuit, and gave his chief attention to the cultivation of the soil. He was possessed of intellectual ability which, had his bodily powers been equal to the labors of the law, would have insured him a high place in his profession. In 1868 he purchased the "National Eagle" newspaper, and for three years was its editor and publisher. He died at the age of only thirty-three.

His wife was Garafelia, daughter of Charles Davis of Roxbury, Massachusetts, and he left four children.

BARUCH CHASE.

Son of Dudley and Alice (Corbet) Chase; born, Sutton, Massachusetts, March 27, 1764; Dartmouth College, 1786; practiced, Hopkinton; died there, March 7, 1841.

The Chase family of New Hampshire boasts many members of note, both in and outside of the learned professions. Baruch Chase had one brother, Philander, who was a bishop of the Protestant Episcopal Church, two others, Dudley and Salmon, who were lawyers of note, one of them also a senator, and Chief Justice of Vermont, and a fourth brother who was an executive councilor, and the father of Salmon P. Chase, Chief Justice of the Supreme Court of the United States.

The subject of this notice was prepared for college at Moor's Charity School in Hanover, and became preceptor of the same one year after his graduation. Twenty-seven young men are said to have been fitted for admission to college under his instruction, so great was his reputation for classical scholarship. His professional studies were pursued with Messrs. Bradley and Buck in Vermont, and Aaron Hutchinson of Lebanon; and he commenced practice in Hopkinton in the year 1790, the second lawyer settled in that town.

Hopkinton, in his time, was a county seat, and a rival of Concord for the distinction of becoming the capital of the State, and was an important centre of law business. Mr. Chase had his full quota of employment, and in professional repute stood among the best in his county. He was commissioned county solicitor in 1808, and served as such for ten years. He was also the president of the Merrimac County Bank, — a good voucher for his correct business habits and his sound pecuniary condition.

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His wife was Ellen, daughter of Benjamin Wiggin of Hopkinton, who survived her husband more than a quarter of a century, dying in 1868 at the age of 92. They had three children, of whom two, sons, lived also to old age.

FRANCIS RUSSELL CHASE.

Son of Hon. Jonathan T. and Fanny M. (Bean) Chase ; born, Gilmanton, April 5, 1818 ; admitted, 1844 ; practiced, Conway and Northfield ; died, Northfield, March 12, 1876.

Mr. Chase, after an academical education, pursued his legal studies with Judah Dana of Fryeburg, Maine, and when admitted to the bar, settled in Conway. There he remained above twenty years, until his removal, in 1866, to Northfield, after which his office was at Sanbornton Bridge, now Tilton. He was a popular man, prominent in political affairs, though not a bitter partisan, a representative in the legislature from Conway from 1852 to 1855, and elected speaker of the House the latter year. He also represented Northfield in 1871 and 1872. As a lawyer he was active, ready, and of respectable rank, though not given to delving in the lore of the profession. He was described with justice as a genial companion and a faithful friend. He was an active member of the Episcopal religious society.

Dartmouth College gave him the honorary degree of Master of Arts in 1871.

His wife was Huldah P. Fessenden of Fryeburg, Maine, and they had seven children.

FREDERICK CHASE.

Son of Professor Stephen and Sarah T. (Goodwin) Chase ; born, Hanover, September 2, 1840 ; Dartmouth College, 1860 ; practiced, Hanover ; died there, January 19, 1890.

The father of Mr. Chase was professor of mathematics in Dartmouth College, and the son's preparatory studies were completed in Kimball Union Academy at Plainfield, and Phillips Academy at Andover, Massachusetts. After his graduation he was assistant to the professor of chemistry at Dartmouth College for a few months, and then went to Chattanooga, Tennessee, to teach ; but the political prospects were so stormy there that he soon returned

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to Hanover, and began the study of the law with Daniel Blaisdell. Receiving, in 1861, the appointment of clerk in the office of the Second Auditor of the United States Treasury, he proceeded to Washington, and in that position and as clerk to the office of the secretary, remained till 1869, in the mean time completing his preparation for the bar, and taking the degree of LL. B. in the Law School of the Columbian College in 1867.

He was at the head of the law firm of Chase, Hartwell, and Coleman of New York and Washington, from 1869 to 1874, himself residing in the former city the first year, and the remainder of the time in the latter. He returned to Hanover in 1874 and entered into practice. The next year, on the decease of Daniel Blaisdell, he was chosen treasurer of Dartmouth College, and the year after was appointed Judge of Probate for the county. These positions he occupied up to the time of his decease.

Judge Chase was a man of thorough and exact knowledge, of prompt business habits, great executive efficiency, and sterling integrity. He was a shrewd financier, and provided well for his own family, and gave generously to others who were in need. His public spirit and liberality were conspicuous, and his administration of the important office of Judge of Probate was marked by wise discretion and a complete knowledge of his duties.

He manifested a natural liking for historical studies, and had projected and carried well towards completion a history of Hanover and Dartmouth College. The first volume had passed nearly through the press, when he was attacked by the peculiar influenza then prevalent, known as *la grippe*, and he was cut off in the prime of his powers.

He was married, November 9, 1871, to Mary F., daughter of Dr. Thomas F. Pomeroy of Detroit, Michigan, and left five sons.

HARVEY CHASE.

Son of Moses Chase ; born, Cornish, November, 1778 ; Yale College, 1800 ; practiced, Cornish ; died there, 1857.

Though this gentleman belonged to a family of which several members attained distinction in public position, it would appear that he lacked the ability or the ambition to emulate them, for he spent his life in his native town, and was little known outside of its limits. He is represented as a man of very moderate talents,

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and a "business" lawyer, giving attention to the collection of claims, to probate matters, and the like.

He was married, and left a son and two daughters.

HENRY BRIGHT CHASE.

Son of Caleb Chase; born, Brookfield, Massachusetts, January 27, 1777; practiced, Warner; died there, January 11, 1854.

The subject of this notice is understood to have been of kin to the Cornish family of Chase, in this State. He studied his profession with Baruch Chase of Hopkinton, and was admitted in 1804. In December of the same year he located himself in Warner. He was made clerk of the state Senate in 1810, 1811, and 1812, and was commissioned the first postmaster of Warner in 1813. He was also chosen representative from Warner in 1813, 1816, and 1817, in the last of which years he was elected Speaker of the House.

Upon the erection of the new county of Merrimac in 1823 Mr. Chase received the appointment of register of Probate, the duties of which he performed with much fidelity until his resignation in 1840. It is said that while he was in office the legislature at one time, by reason of political feeling, cut off the salary of the office of register in this and in Hillsborough County, the latter held by Charles H. Atherton, in the hope that they could induce the incumbents to resign. Mr. Chase and Mr. Atherton were two of the best officers in the State, and had no notion of surrendering on such a summons. They retained their places, and in due time were awarded their compensation.

Harriman's History of Warner states that while Mr. Chase was in the legislature, in 1816, he was associated on the part of this State with a committee of the General Court of Massachusetts, appointed to carry out a scheme for connecting the waters of the Merrimac and Connecticut rivers by a canal, to pass through Sunapee Lake. The plan is said to have been brought to an ignominious conclusion by the rather tardy discovery that the elevation of the lake was some eight hundred feet greater than that of the rivers.

Mr. Chase was a man of superior abilities and professional qualifications, and stood high in the estimation of the community. His honesty and uprightness were conspicuous, and he reared

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his family in comfort and respectability. "His reputation as a lawyer," says a local historian, "was second to that of no man in the State."

He married Dolly, daughter of Nathaniel Bean of Warner. Four children were living at his death: a son, bearing his father's name, who studied law and practiced in Louisiana, and three daughters.

HORACE CHASE.

Son of Samuel and Molly (Stanley) Chase; born, Warner, December 14, 1788; Dartmouth College, 1814; practiced, Goshen and Hopkinton; died, Hopkinton, March 1, 1875.

Horace Chase studied his profession under Matthew Harvey of Hopkinton, and after a stay in Goshen of about three years, returned to Hopkinton in 1821, and entered into partnership with Mr. Harvey. He was a representative in the legislature of 1829, and the same year received the appointment of postmaster, which he held until 1850. From 1830 to 1832 he was assistant clerk of the New Hampshire House of Representatives. In 1833 he was commissioned Judge of Probate for Merrimac County, and administered the office until 1855. In 1845 he published the "Probate Directory," a convenient and useful manual of the law and practice of the court over which he presided.

Judge Chase was an enthusiastic Freemason, and for many years was the secretary of the Grand Lodge of the State, and of other Masonic bodies. He compiled and edited in 1860 the "Proceedings of the Grand Lodge of New Hampshire, 1789 to 1856."

As a lawyer he was well read and careful, not rapid in his mental operations, but reaching sound conclusions. He was a very good Judge of Probate, and thoroughly honest. Before accepting the office he had acquired quite an extensive practice.

He was a genial companion, full of amusing anecdotes, and highly valued and esteemed by his numerous acquaintances throughout the State.

He was thrice married. His first wife was Betsey, daughter of Stephen Blanchard of Hopkinton, whom he married December 24, 1818, and who left him four children; his second, married June 5, 1844, was Lucy, her sister; his last wife, married November 15, 1849, was Mrs. Ruhamah, daughter of Joseph Cochran of

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New Boston, and widow of Daniel Clarke of Canaan. He had two sons in the legal profession.

THADDEUS S. CHASE.

Mr. Chase was a native of Maine, and came to Gorham about the year 1867, apparently on a "prospecting" trip. He remained there but a few months, and then, as he could not decide to make it his permanent home, he returned to North Windham, Maine, where he died not long afterwards.

CHARLES GILMAN CHENEY.

Son of Moses and Abigail (Morrison) Cheney; born, Holderness, July 8, 1826; Dartmouth College, 1848; admitted, 1851; practiced, Peterborough; died there, November 13, 1862.

Mr. Cheney studied law in the office of Messrs. Nesmith and Pike in Franklin, and began practice in Peterborough in September, 1851. Upon the organization of the Peterborough State Bank, in 1855, he became its cashier, and continued in that employment until in consequence of sickness he resigned, May 16, 1862. The last two or three years of his life he suffered much from disease. He was a man of amiable and correct character, and strongly attached to him those with whom he had dealings. His early decease disappointed the high hopes that had been formed of his future influence and usefulness.

He married Sarah E. Smith of Holderness, October 25, 1851, and had one child.

DANIEL MILTIMORE CHRISTIE, LL. D.

Son of Samuel and Zibiah (Warren) Christie; born, Antrim, October 15, 1790; Dartmouth College, 1815; admitted, 1818; practiced, Dover; died there, December 8, 1876.

Mr. Christie was the son of a tiller of the soil, and without extraordinary advantages was successful in obtaining a collegiate training, and the necessary legal instruction in the office of James Walker of Peterborough. At the age of twenty-eight years he seated himself in the town of York, Maine, to wait for clients. The first five years they could not have been numerous, for he made two removals, first to Berwick, Maine, and then, in 1823, to

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Dover. He was neither a showy nor a pushing man, and it took time for his sterling merits to become appreciated. As he became better known, his virile powers of mind, his fondness for professional labor, and his sense of responsibility to his employers indicated him as one worthy of trust, and destined to succeed.

His work and his play were both found in the law. He indulged in no sports and in no idleness; he read little, if anything, unconnected with his profession; he had no fancy for society; he never speculated; he had no "fads." He held only two public offices in the course of his long life, that of United States district attorney, which President Adams gave him in 1828; and that of representative in the General Court, to which he was chosen in 1826, and eleven years, at intervals, afterwards. His great interest in life was centred in his profession. His daily habit, for half a century and more, was to repair to his office as soon as breakfast was over, and to spend the day, and the evening until ten o'clock, in it, unless summoned elsewhere by his business.

Thoroughly grounded in the principles of the law, and untiring in research, he was rarely at fault in his legal opinions. The instances in which his advice was found to be erroneous were few indeed. He relied not merely upon decided cases, he examined carefully into the reasons of decisions. If he could not fully justify a ruling to his own understanding, with his proverbial caution he was shy of trusting to it.

He may be said to have been a growing man through life. It was remarked that in his addresses to the court and jury after he had passed the age of seventy his diction was more copious and his illustrations were more various than ever before. For a quarter of a century at least he was the acknowledged leader of the bar in his section of the State. He was a contemporary of two generations of practitioners, from the prime of Mason and Bartlett and Woodbury to that of Bell and Hale and Marston; and was no unworthy match for the strongest of them in his youth not less than in his age.

Mr. Christie in his management of his business acted fully up to the spirit of Lord Brougham's definition of the duties of an advocate. He spared no effort to forward the interest of his client, and entered into his cause with all his heart and soul. But he never construed the obligations of counsel, as some law-

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yers are thought to have done, to mean that he should sacrifice truth or honor for the sake of victory; nor was he ever so carried away by the *gaudium certaminis*, though he gloried in a hard fight, as to forget for a moment his sterling principles. But he never granted an indulgence, and, to do him justice, he seldom asked one. He fought every inch of ground.

He was always thoroughly well prepared. He studied the law diligently, he examined the testimony carefully. Every danger was foreseen and discussed, and the best method of avoiding it was settled in advance. His clients, at the prior conferences of counsel, were amazed to learn how many difficulties their causes presented, and were apt to think that Mr. Christie was too timid and full of apprehensions. But when he got into court all this was changed. No more doubts; no more uncertainty; he presented his points with boldness and perfect confidence. The objections which had been mountains in consultation became molehills in the court-room.

He was equally thorough in all the stages of a trial. He never left a witness without having got from him the very last favorable word that he would utter. He was not loud or imperious in cross-examination, but he never failed to let the jury see the difference between his treatment of an honest witness and of a falsifier. In all the numerous questions that came up in the examination of witnesses, his discussions were ingenious and cogent. He contrived that the jury should be fully impressed with the force of all the evidence that he offered, even if the Court ruled it inadmissible. But he did not offer evidence that was obviously improper, simply for the purpose of arguing for it in the jury's hearing.

His addresses to the jury were clear, logical, and powerful. At times, and especially in his later years, he indulged in bits of humorous description that caused much merriment. But in general he treated the jury as understanding men, and appealed to their reason and good sense. He never talked for buncombe, and never appealed to the passions or lower prejudices of men. He was somewhat noted for the prolixity of his forensic efforts, often repeating the same ideas in various forms of words. The humorists of the bar used to say that he was not satisfied until he had put each of his points into a dozen different shapes, one for each of the panel. In truth, he never felt that he had done

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justice to a proposition so long as he thought it might be expressed more clearly or strongly.

He had a habit of dwelling upon any peculiarly striking expression uttered in a trial that made in his client's favor. In an action that he brought for the breach of a warranty of a mare, one of the witnesses referred to the animal as the "fitty mare." Mr. Christie caught at the happy description, and in his argument to the jury repeated it over and over, rolling it on his tongue with emphasis and unction until he made the defendant half wild with the "damnable iteration," and fairly pile-drove it into the jurors' memories.

An incident that occurred to Mr. Christie in another trial demonstrated his coolness and professional readiness under disconcerting circumstances. It was at a time when the court was composed of three judges, a circuit justice who presided at trials, and two "side judges" whose real function was to adjust the county business, and who often left the court-room for that purpose. The trial referred to was going on before the presiding Justice, solus, and was stubbornly contested. Mr. Christie was anxious to introduce a piece of testimony which his opponents meant he should not, and promptly objected to every question put for that end. The Judge sustained the objection; but the evidence appeared to Mr. Christie so important that he strove again and again by varying his questions to bring it out. The Judge at length intimated that there had been enough of that. Mr. Christie rose, apparently to fight the battle over anew, when the Judge directed him to take his seat. Mr. Christie's Scotch-Irish grit was roused by this, and he informed the Judge that he "preferred to stand!" An awkward pause ensued; evidently the next step must be the commitment of the contumacious counselor for contempt. But the instinct of the lawyer never left him. "If I may be allowed to *speak*," he said, "I would suggest that there is no quorum of the Court present." Neither of the two "side judges" was on the bench. The presiding Judge (probably to his no small relief) ruled that the point was well taken, and the trial was resumed.

Mr. Christie belonged to the stalwart generation who did not break down under intellectual labor. Week in and week out he breathed the vitiated air of the court-room, and underwent the strain of forensic contests, without detriment to his splendid phy-

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sique. Indeed, it happened more than once that he was in poor health when he began a term of the court, and recovered rapidly as soon as he got at work.

Take him for all in all, Mr. Christie was one of the very best lawyers that the State has produced. With almost no failings he had very many excellences. He was upright, honorable, straightforward, clean. No man accused him of anything worse than obstinacy in his client's behalf. He was industrious, faithful, true, sincere. He pursued his ends by fair and honest means. All trickery and crooked ways were foreign to his nature, and would not have been tolerated by him. A lawsuit to him meant a square stand-up fight; a fair test of strength and skill. Like Mrs. Battles he loved "the rigor of the game." He has been termed "the massive Christie," and not inaptly, for physically as well as mentally he towered above the average man.

When in 1857 he received from his *alma mater* the degree of Doctor of Laws, it was universally admitted that it was a tribute justly due to his great attainments and his spotless character.

Immersed though Mr. Christie was in professional engagements, he thoroughly enjoyed the pleasures of domestic life. He was married, December 1, 1827, to Dorothy D., daughter of Hon. John Wheeler of Dover, and the widow of Charles Woodman. They had six daughters, three of whom became the wives of lawyers.

BARTLETT GERSHOM CILLEY.

Son of Aaron and Sally (Carr) Cilley; born, Andover, June 4, 1835; Dartmouth College, 1859; admitted, 1862; practiced, Bradford; died there, August 21, 1867.

Mr. Cilley's home until he reached adult years was in Andover, and after his graduation he taught school there. He read law in Concord with Minot and Mugridge, and began practice in 1862 in Bradford as the partner of Mason W. Tappan. Their connection lasted about a year, and Mr. Cilley continued to practice there alone during the few remaining years of his life.

He married Martha J., daughter of Dr. Jason H. Ames of Bradford, and left two children, a son and a daughter.

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BRADBURY POOR CILLEY.

Son of Jacob and Harriet (Poor) Cilley; born, Nottingham, January 2, 1824; Dartmouth College, 1843; admitted, 1847; practiced, Manchester; died there, March 22, 1892.

Mr. Cilley was fitted for college at the Phillips Exeter Academy, studied law in the Yale Law School and in the office of Daniel Clark at Manchester, and went into practice in that city in 1847. He developed a considerable interest in public affairs; became an alderman, a candidate for mayor, and postmaster of Manchester from 1867 to 1871, and a delegate to the constitutional convention of 1876. His proclivity for military position may have been hereditary, for he was a grandson of Colonel Joseph Cilley of the Revolution on one side, and of General Enoch Poor on the other. He was prominently connected with the Amoskeag Veterans, as clerk, treasurer, and captain, and was a colonel on the staff of Governor Goodwin in 1859. He had much to do with the development of the Suncook Valley Railroad, and was a trustee of the City Savings Bank.

Mr. Cilley was a lawyer of good acquirements, excellent judgment, and acquaintance with human nature. He was not ambitious to address juries, though he was clever in making an offhand speech. He maintained a position through life, as a practitioner of ability and standing, a leading member of his political party, and a prominent and respected citizen.

He married, June 30, 1856, Angeline, daughter of Nahum Baldwin of Manchester. She with their only child, a daughter, survived him.

HORATIO GATES CILLEY.

Son of Horatio G. and Sarah (Jenness) Cilley; born, Deerfield, November 25, 1805; Dartmouth College, 1826; practiced, Deerfield; died, Lowell, Massachusetts, March 13, 1874.

Mr. Cilley had his preparation for college at the Phillips Exeter Academy, and after his graduation pursued his legal studies with George Sullivan in Exeter. He began practice in the south village of Deerfield in 1830. That town he represented in the state legislature in 1851 and 1852. Soon after this he removed to Lewiston, Maine, and continued the practice of his profession, but only for a short time, as his circumstances rendered him inde-

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pendent of it. His last residence was in Lowell, Massachusetts. He was a lawyer of good attainments, very gentlemanly in his manners, and well esteemed by his associates.

He was married in May, 1840, to Deborah, daughter of Thomas Jenness of Deerfield, and left two sons.

WYSEMAN CLAGETT.

Son of Wyseman Clagett ; born, Bristol, England, August, 1721 ; practiced, Portsmouth and Litchfield ; died, Litchfield, December 4, 1784.

The father of this gentleman was an English barrister at law, who enjoyed as long as he lived an ample estate, gave to this son a good classical education, and bred him to his own profession, but apparently as an attorney, not a barrister. The young man at the age of twenty-seven established himself as a practitioner in the island of Antigua, in the West Indies. He was very successful there, if we may judge from the estimation in which he was held by one of the citizens, John Weeks, who by his will, which took effect in 1750, settled upon him an annuity of fifty pounds sterling during life. This proved to be a welcome resource in his later years.

After a stay of ten years in Antigua, Mr. Clagett came to Portsmouth, no doubt with the expectation of taking a leading position in the province. He was admitted to the bar of the Superior Court, and was made a justice of the peace, having already the credentials of a notary public. These positions, so common now, were then limited to a few, and imported some special qualifications and gave consequence. Certainly Justice Clagett magnified his magisterial office. Every petty violation of the criminal law which came to his knowledge he made the object of his official cognizance. In order to invest his office of justice with suitable dignity, he caused to be fitted up in his house a sort of court-room, with a bench and raised chair for himself, and less elevated seats for his clerk and his sheriff. Into this abode of the majesty of the law he caused offenders to be conducted and arraigned before himself, whose heavy frown and portentous voice added to the imposing character of the scene. An example will show his method of proceeding. Clagett inquired one day of a countryman who had brought in a load of wood to sell, what price he asked for it. On being informed, the Justice d——d the man

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(for he was in the habit of swearing like "our army in Flanders") for asking too much. The man retorted, with similar imprecations. Thereupon Clagett issued a warrant against him for profane swearing, and caused the poor fellow to be brought before himself for trial.

The culprit then began to realize the situation, begged the Justice's pardon, and averred that he would never have spoken so if he had known it was his honor, 'Squire Clagett.

"'Squire Clagett harbors malice against no man," said the Court, "and freely forgives you."

"Thank your Honor," said the prisoner, and was about to go, when the Court interrupted in thunder tones: —

"Stop, sir; '*Squire Clagett* forgives you, but the *law* does *not*!'" He then went on to pronounce judgment against the teamster, who was at last fain to get off with the sacrifice of his load of wood in satisfaction of the fine and costs.

So frequent did such proceedings become in this tribunal, that they gave a new word to the common speech, and "I'll Clagett you" took the place of "I'll prosecute you."

It is not to be understood that Mr. Clagett's business was confined to transactions of the character here described. On the contrary, he held his station and dignity as a counselor at law in the highest estimation. It is not known whether in this country the rules ever prevailed which separated the English barrister from vulgar tradesmen, but certainly for a long period it was regarded here as *infra dignitatem* for an educated lawyer to advertise his business in the newspaper. Samuel Livermore, with a wholesome disregard of inapplicable traditions, when he had occasion to move his office, advertised in the "New Hampshire Gazette" not only that fact, but also that he had tickets in the Newmarket Lottery for sale. This double offense against the exclusive character of his profession produced from Clagett, who had a pleasant knack at versification, the following: —

ON AN ADVERTISEMENT OF S. L. ESQ.

Pray is it not a thing *surprising*
To see a *Lawyer* advertising?
Tho' Law 's the plea and the intent,
Yet Lawyers should quote *precedent*.
True it is, there 's no dispute on 't,
A tree 's known best by the fruit on 't,

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So he that sells the choicest wine
Need have no bush (that is) no sign,
But with the Lawyer we agree,
The *end* of Law 's a *Lottery*.

Mr. Clagett enjoyed the reputation of being a wit. One of his smart sayings has come down to us, chiefly because it turned out unexpectedly to be prophetic. He married a young lady not only of beauty, but with handsome expectations of property. An acquaintance congratulated him on marrying a fortune. "Not a fortune," he replied, "but a fortune's daughter — a mis-fortune!" The subsequent conduct of the lady is said to have proved his reply to have been "a true word though spoken in jest."

In 1765 Mr. Clagett was appointed by Governor Benning Wentworth attorney-general of the province, and in 1768, on the accession of Governor John Wentworth, his commission was renewed. He conducted the prosecution against the unfortunate Ruth Blay in 1768, the victim of a barbarous law, prematurely carried into execution by an unfeeling official. Mr. Clagett's inflated exordium in opening the prosecution was an apology for the enforcement of a statute so abhorrent to every sentiment of humanity; "he called Heaven to witness that he was discharging a duty that he owed his country, his king, and his God!"

In 1769 Mr. Clagett took his family to England, where he would have remained, in consequence of inducements offered him by his friends and relations there, but for the obstinate refusal of his wife. He returned to this country after about two years, and soon afterwards purchased a farm in Litchfield, on the bank of the Merrimac, to which, in 1772, he retired with his family. For this he probably had a double reason; first, he had openly taken part with the colonists in their complaints against the British government, and therefore could expect no further favors from Governor Wentworth or his friends who were all-powerful in Portsmouth; and secondly, the province had just been divided into counties, each of which would have its own courts, and Litchfield promised to be one of the centres of legal and other business for Hillsborough County.

From Litchfield and Nottingham West, he was chosen a member of the last House of Representatives which assembled under the royal government, and to the third and fifth Provincial Congresses. He was an active and prominent member, and served on

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the most important committees, notably that to draft the plan for the government of the State. Under the new Constitution adopted in January, 1776, he was chosen a councilor, and shortly afterwards attorney-general, which position he resigned after about two years. He was appointed a member of the Committee of Safety in 1776, and elected a representative from Merrimac and Bedford in 1777. In August, 1778, he was chosen a special justice of the Superior Court, and in November, 1781, solicitor-general for the State. This office he filled until the establishment of the new Constitution in 1783, and he was the only person who ever held it.

Mr. Clagett's business lay chiefly in criminal proceedings, of greater or less magnitude. He was an excellent public prosecutor, and was fully employed in his duties as such for several years. Indeed, he thought it necessary at one time to call upon the legislature for assistants. But his civil practice is said never to have been very considerable, nor was he much employed as an advocate.

His personal appearance was striking. Tall and robust, with a stern countenance, heavy brow, and piercing black eyes, and an occasional convulsive twitch of the mouth accompanied by a frown and snap of the eye, he was not only a "terror to evil-doers," but an unattractive personage to all strangers. His rudeness of manner and profanity of speech matched well with his looks. But beneath this forbidding exterior were found gentler qualities. He was social, hospitable, kind-hearted, and liberal, and had no malice in his composition.

He was not happy in his domestic relations, and his home was rather neglected. Unfortunately he failed in his duty to suitably educate his children. Those of them who acquired respectable learning did it in spite of his neglect. He never lost his self-importance, but is described as retaining his full-bottomed wig and once laced hat and threadbare fine garments to the last.

He was married in 1759 to Lettice Mitchell of Portsmouth, and had seven children, one of them of his own profession.

ICHABOD BARTLETT CLAGGETT.

Son of William and Mary (Thompson) Claggett ; born, Portsmouth, September 21, 1821 ; Dartmouth College, 1845 ; practiced, Portsmouth ; died there, March 12, 1861.

Mr. Claggett began the study of the law under his father in

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Portsmouth. Then, being made preceptor of the Brackett Academy in Greenland, he devoted all his leisure time for the next two years to the same study, and finished it in the office of Ichabod Bartlett in Portsmouth. He was admitted to the bar in 1848. Twice he was elected solicitor of the city of Portsmouth. He was a young man of amiable character, respectable in his profession, and attentive to his business. His health after a few years gave way, and his life was terminated by consumption.

WILLIAM CLAGGETT.

Son of Hon. Clifton and Margaret (McQuesten) Claggett ; born, Litchfield, April 8, 1790 ; Dartmouth College, 1808 ; practiced, Portsmouth ; died there, December 28, 1870.

Few men have begun life with more favorable prospects than William Claggett. The son of a judge of the Superior Court, with a collegiate training, he served his legal apprenticeship in the offices of his father, of Edmund Parker of Amherst, and of George Sullivan of Exeter, and in 1811 began practice in the chief town of the State. He was selected the next year to deliver the Fourth of July oration, and a year or two later elected a member of the legislature, in which he held a seat repeatedly afterwards. Business naturally flowed in upon him, so that at one time he entered more actions in court than any other practitioner in the county. He was appointed clerk of the Circuit Court of the United States in 1821; was state senator in 1825; and naval officer of the port of Portsmouth in Jackson's administration.

But as he advanced in life he failed to retain the advantages he had gained. His business fell off and deteriorated in character, and his later years found him comparatively unemployed and in needy circumstances. There appears to have been some radical defect in his character, to cause so marked a loss of confidence in his professional capacity.

Several of his earlier speeches and addresses were published: an oration on Independence, 1812; speech in the New Hampshire legislature, 1814; address on Slavery; address on the Unity of Races.

Mr. Claggett [1] was married, May 20, 1816, to Sarah F., daugh-

[1] William Claggett was the first of his family to spell his name with a double *g;* his father and grandfather used but a single one.

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ter of Governor William Plumer of Epping. Her death took place within a year or two, and he married, May 14, 1819, Mary, daughter of Ebenezer Thompson of Portsmouth.

His son by his second marriage was a lawyer.

CHARLES CLAPHAM.

This gentleman, a native of England, is said to have served for a time as a midshipman on a mast-ship. That probably brought him to this country. He was the teacher of the "Garrison Hill school" in Dover in 1775 and 1778, and in company with Joseph Blanchard made in 1787 the survey of the *straight* western line of Mason's patent, as mentioned in Belknap's History of New Hampshire. He studied law in Dover with Jonathan Rawson, and was recommended by the bar of Strafford County for admission to the Court of Common Pleas as an attorney, November 20, 1788. The next year he and Rawson were elected "attorneys for the town." In 1789 Mr. Clapham purchased from Rev. Dr. Jeremy Belknap, the historian, the dwelling-house which the latter had formerly occupied, at "the Landing" in Dover.

August 21, 1797, Mr. Clapham advertised in the Dover "Sun" that he "had removed his office from Daniel Libbey's store to one adjoining Mr. Thomas Footman's House, where constant attendance will be given in the line of his profession." The tradition is that he was afterwards employed in some official position on board a vessel of war, and the announcement of his death is made in a newspaper of the time as follows: —

"Died on board the ship Merrimack at Dominico, 14th March, 1799, by a fall, Charles Clapham, Esq., of Dover."

Mr. Clapham was married prior to his admission as an attorney, and had at least one son.

DANIEL CLARK, LL. D.

Son of Benjamin and Elizabeth (Wiggin) Clark; born, Stratham, October 24, 1809; Dartmouth College, 1834; admitted, 1837; practiced, Epping and Manchester; died, Manchester, January 2, 1891.

Mr. Clark was the son of a respectable farmer and blacksmith, and from time to time, as he grew up, attended the Hampton Academy, where he qualified himself to enter college. The ex-

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penses of his education he defrayed in considerable part by his earnings as a teacher in vacations. One half of his term of law study he passed in the office of George Sullivan, and the remainder in that of James Bell, both of Exeter. He began practice in Epping, but in less than two years was attracted to Manchester by the prospect that it was to become a great business centre. Growing up with the place, he became identified with it in interests, made himself known to all new-comers, and acquired a large practice. He was city solicitor, member of the school board, chief engineer of the fire department, trustee of the city library, and five years representative in the legislature, namely, 1842, 1843, 1846, 1854, and 1855.

A few years after his settlement in Manchester occurred the murder of Jonas L. Parker, which in respect to its atrocity, the public place of its commission, and the impossibility of ascertaining the author of the crime, has become a *cause célèbre* in the State. Mr. Clark was employed by the government to lead the prosecution, and succeeded so far as to procure the extradition from a neighboring State of the suspected criminal, and, after a protracted examination, to obtain his committal to await the action of the Grand Jury. Though no sufficient evidence was found to warrant the indictment of the prisoner, yet in the hearing before the Police Court, where the defense was managed by the united strength of Benjamin F. Butler, Charles G. Atherton, and Franklin Pierce, Mr. Clark gained great credit for the ability with which he conducted the prosecution.

He became prominent in political affairs as he advanced as a lawyer. He was three times candidate for the state Senate, but his district was controlled by the adverse party. He had acquired so high a standing as a party leader, especially in the General Court, that he was put forward as a candidate for United States senator in 1855. His competitor was James Bell, who was elected, though in feeble health, and died in 1857. Mr. Clark was chosen to fill out the remaining four years of the term, at the expiration of which he was chosen for another full period, giving him in all ten years of service, including the entire duration of the great Rebellion. He was thus in a most responsible and conspicuous position in those "times that tried men's souls." In the committee-room, on the floor of the Senate where his voice was often heard, and everywhere, in public and

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in private, he gave his support and influence to the cause of his country. He gained the confidence and warm regard of his associates, and a national reputation as a statesman. During a considerable part of two sessions he was president *pro tem.* of the Senate.

Soon after his senatorial career terminated in 1866, he was appointed Judge of the United States District Court for New Hampshire. That office he filled to the time of his decease, though the law was such that he might have relinquished it at seventy years of age, with the continuance of a salary for life. But he chose to "earn his money." That he made an excellent judge may readily be believed. He put new life into the administration of the court, and was often called on to preside in the federal tribunals in other States of the circuit.

Twenty years' active practice at the bar, ten years' service in the highest legislative body in the nation, and twenty-four years upon the bench constitute a remarkable record, in the life of one man. And Judge Clark took no secondary place, wherever his fortune called him. He was a lawyer of learning, ingenious, acute, and strong, alike in counsel and in the courts. He was pitted against the leading members of the bar in Hillsborough, Merrimac, and Rockingham counties, and needed to give no odds. His arguments were directed at once to the heart of the questions at issue. On various important public occasions, he delivered orations, more elaborate and scholarly, often eloquent in feeling and expression. His *alma mater* in 1866 added his name to the honored list of her Doctors of Laws. In the constitutional convention of 1876 he was chosen president, and gave the key to the changes in our organic law which were effected by that body.

In private life Judge Clark was much respected. In his intercourse with others, though somewhat distant and formal, he was always inclined to oblige. He was honest, upright, and faithful to every trust. At the time of his death he was the oldest director of the Amoskeag Corporation, and a trustee of the City Library, and of the Manchester Savings Bank. For some years he was the president of the Industrial School, in the success of which he felt much concern, and to which he gave his best efforts.

In 1840, June 9, he was united in marriage with Hannah W.,

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daughter of Maxcy Robbins of Stratham. She died in 1844, and he married, May 13, 1846, Ann W., daughter of Henry Salter of Portsmouth. She survived him, with their two sons, one of whom, Henry S. Clark, is a lawyer in New York.

DAVID FRENCH CLARK.

Son of David J. and Susan J. (French) Clark ; born, Manchester, September 12, 1854 ; admitted, 1878 ; practiced, Manchester ; died there, March 24, 1890.

Mr. Clark was educated in Manchester, graduating from the High School in 1873, and passing without conditions the examination for admission to Dartmouth College. The state of his health at that time prevented him from prosecuting a collegiate course, and he entered, some months afterwards, the office of Messrs. Herman Foster and Lucian B. Clough of Manchester as a student at law. In 1878 he was admitted, and formed a partnership in practice with Mr. Clough. In 1884 he was chosen county treasurer for the term of two years, and in 1886 was elected a representative in the legislature. He was an unassuming but capable and successful lawyer, and a popular man, being a member of several orders and fraternities of a social character.

His disease was tuberculous, and he was ill but a short time.

DAVID JOSEPH CLARK.

Son of Benjamin and Elizabeth (Wiggin) Clark ; born, Stratham, November 9, 1812 ; Dartmouth College, 1836 ; admitted, 1839 ; practiced, Peterborough and Manchester ; died, Manchester, September 3, 1866.

In 1830 Mr. Clark was a student at the Phillips Academy in Exeter, and in the same town he pursued the study of the law from 1836 to 1839, in the office of James Bell. Immediately after his admission as an attorney he entered into practice in Peterborough ; in April, 1847, he removed to Lawrence, Massachusetts, and in October, 1850, he returned to New Hampshire, and became partner of his brother, Daniel Clark, in law practice in Manchester. In 1861 he received the appointment of postmaster of Manchester, and continued in that office to the close of his life. He was a man of amiable character, and though he was not

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peculiarly adapted for the highest range of professional employment, was sufficiently successful in the practice of the office.

He was married, December 20, 1842, to Susan J., daughter of Leonard C. French of Bedford. He left children, one of whom was a lawyer of Manchester.

JOHN LEWIS CLARK.

Son of Peter and Jane (Aiken) Clark ; born, Francestown, December 4, 1812 ; Dartmouth College, 1832 ; admitted, 1838 ; practiced, Nashua ; died, Andover, Massachusetts, November 29, 1854.

This was a younger brother of Peter Clark of Nashua, with whom he prepared himself for the bar. In 1836 he left this State and went to New Orleans, Louisiana, presumably with the intention of remaining there, but in 1837 he returned to Nashua. He was in practice there but a short time, however, and afterwards became engaged in commercial business in Boston, Massachusetts.

He never married.

JOSEPH CLARK.

Son of Simeon and Lydia (Mosely) Clark ; born, Columbia, Connecticut, March 9, 1759 ; Dartmouth College, 1785 ; died, East Hartford, Connecticut, December 21, 1828.

This gentleman had an uncommon training for his profession. He served in the Revolutionary war, was taken prisoner and carried to Halifax, and afterwards to England. After peace was declared he was received into the office of John Sullivan of Durham as a law student, and commenced practice in Rochester about 1788. There he continued till 1810, or a little later, when he resumed his residence in his native town in Connecticut, and subsequently removed to East Hartford, where his death, from an apoplectic attack, occurred. He appears to have been a man of competent abilities and acquirements, and to have established a good standing among the people of Rochester. He was chosen to deliver a Fourth of July oration in 1794, which was published; and was elected representative of the town in 1798 and 1801.

His wife was Anna H. Burleigh of Newmarket.

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JOSEPH BOND CLARK.

Son of Samuel and Betsey (Clement) Clark ; born, Gilford, June 22, 1824 ; Brown University, 1848 ; admitted, 1853 ; practiced, Manchester ; died there, October 22, 1886.

At the age of seventeen Mr. Clark began to prepare himself for college at New Hampton Literary Institute, and for five years after his graduation from the university he was a teacher of schools in this State and in Massachusetts, pursuing his law studies in the mean time under the direction of Asa Fowler of Concord. After his admission in Belknap County in 1853, he was two years principal of the academy at Wolfborough; he then established himself as a lawyer in Manchester. He was chosen city solicitor in 1858 and 1859, and a representative in the legislature in 1859 and 1860. In 1861 he was appointed solicitor of Hillsborough County, and at the expiration of his five years' term was reappointed.

In September, 1862, he was commissioned lieutenant in the 11th regiment of New Hampshire Volunteers, and was promoted to be captain in March following. May 6, 1864, in the battle of the Wilderness, he was severely wounded ; and in June, 1865, was mustered out of the military service. Returning to his practice in Manchester he was elected mayor of the city in 1867. In 1884 he was a delegate to the national Republican convention, and in 1886, shortly prior to his decease, he was an aspirant for the nomination to Congress, but was unsuccessful.

Captain Clark, in addition to his very considerable legal practice, was officially interested in various corporations. He was a director of the Merrimac River Bank, and of its successor the First National Bank ; a trustee of the Merrimac River Savings Bank ; a director of the Nashua, Acton, and Boston Railroad, of the Manchester Horse Railroad, and of the New Hampshire and People's Fire Insurance companies. He was also a large property holder.

As may be inferred from the positions he filled, Captain Clark enjoyed a large measure of the public confidence. He was a fast friend, a good citizen, and a lawyer of ability and standing. A hard worker, he perhaps assumed too many cares ; ambitious and sensitive, he took every miscarriage sorely to heart. His

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death was the consequence, it is supposed, of the burden of his many responsibilities, in addition to political disappointment. It was a complete surprise to all who knew him.

He was married, September 12, 1862, to Mrs. Mary J. (Peabody) Smith. She died in 1873, leaving him with two children, a son and a daughter.

PETER CLARK.

Son of Peter and Jane (Aiken) Clark; born, Lyndeborough, April 29, 1810; Dartmouth College, 1829; admitted, 1832; practiced, Francestown, Dunstable, and Nashua; died, Nashua, May 29, 1841.

This gentleman pursued his professional studies with Edmund Parker of Nashua, Samuel Fletcher of Concord, Titus Brown of Francestown, and at the New Haven Law School. For a short time he had an office in Francestown, and then, in 1833, removed to Dunstable, afterwards Nashua. In the eight years of his life there he established a high character for legal and business capacity, and made himself popular and respected. At the time of his decease he was the chairman of the board of selectmen of Nashua, and the treasurer of the Concord Railroad Corporation. An obituary notice represents that "he enjoyed a high rank in his profession; as a man of business he had few equals; as a friend and companion he was beloved by all, and as a citizen he was in the foremost rank."

He married Susan, daughter of Nathaniel Lord of Kennebunkport, Maine, May 28, 1834, and had four children.

WARREN CLARK.

Son of Jacob K. and Mary Clark; born, Hopkinton, March 29, 1837; Norwich University, 1857; practiced, Henniker and Concord; died, Concord, November 22, 1891.

Mr. Clark was two years a teacher of mathematics and military tactics in New York and New Jersey, and then returned to this State and studied law in the office of Messrs. George and Foster in Concord. In 1862 he was admitted to the bar. He then spent a year or more in imparting military instruction to officers of newly raised regiments, before he opened his office in Henniker. There he stayed until 1870 and then moved to Concord.

In 1874 he was made Judge of Probate of his county, and

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served until a change in the state administration in 1876. From 1888 to 1890 he was postmaster of Concord. Throughout his life he manifested a deep interest in popular education. He was a member of the superintending school committee of Hopkinton and Henniker, and after his removal to Concord he served upon the school board from March, 1875, to the time of his decease almost continuously.

As a public officer Judge Clark performed his duties punctually and faithfully. He attended industriously to his law practice, which in spite of his impaired health grew to be very considerable, though it was mainly confined to work that could be performed in his office. He was a safe counselor, and seldom encouraged litigation. He was of a genial nature and courteous in manner, and made many friends.

May 11, 1864, he was married to Fanny S. Otis of Colchester, Connecticut, who survived him.

JOHN BADGER CLARKE.

Son of Greenleaf and Julia (Cogswell) Clarke ; born, Atkinson, January 20, 1820 ; Dartmouth College, 1843 ; admitted, 1848 ; practiced, Manchester ; died there, October 29, 1891.

Always an excellent scholar, both in the Atkinson Academy and afterwards in college, Mr. Clarke assumed after his graduation the charge of the academy at Meredith Bridge for three years. While there he began the study of the law under the direction of Stephen C. Lyford, and afterwards finished his course with his brother, William C. Clarke, at Manchester. In February, 1849, he went to California to practice his profession, but like most others there, of whatever calling, soon turned to mining. In 1851 he returned to Manchester, and began practice successfully, for a year, but with a view to a shorter road to advancement, then assumed the editorship of the "Mirror," a daily newspaper there published. This he purchased the succeeding year, and added to it two other papers which he secured, and from them built up the daily "Mirror and American," and the weekly "Mirror and Farmer," both which journals acquired a larger circulation and great influence. The weekly became an authority in agricultural subjects, in which Mr. Clarke took great interest. He was especially devoted to the improvement of the

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breed of horses and other stock, and owned many valuable animals himself, seldom being without excellent specimens of the best blood in his stable.

His daily paper, in addition to the latest news of the day, contained all the local intelligence that enterprise could secure, and was the mouthpiece of his political party in Manchester and its vicinity. To his newspaper office Mr. Clarke added an extensive printing establishment, where for years the state printing was performed under his official direction. He issued from it several useful works chiefly of a historical character, — the History of Manchester, prepared by himself; Successful New Hampshire Men; Sanborn's History of New Hampshire; and others.

He was in many directions a man of high ambition, enterprise, and zeal; whatever he took in hand, he put his best powers into. He was a warm partisan and a devoted friend; always liberal and whole-souled. .

Though no aspirant for public office except in the way of his calling, he was a trustee of the Merrimac River Savings Bank from its inception, was lieutenant-colonel of the Manchester Veterans, and president of the Fish and Game League of the State, besides his nine years' service as state printer.

He was married, July 29, 1852, to Susan Greeley Moulton of Gilmanton, and after her decease to Olive Rand of Warner, in 1886. By his first marriage he had two sons.

SAMUEL GREELEY CLARKE.

Son of Captain John Clarke; born, Pittsfield, June 17, 1827; Harvard College, 1851; practiced, Northwood; died, Bristol, Rhode Island, April 19, 1887.

Mr. Clarke was distinguished for his scholarship at the Phillips Exeter Academy and in college, and graduated at the head of his class. Studying law in the office of Daniel Webster and John P. Healey in Boston, Massachusetts, he was admitted to the bar in Suffolk County and practiced there a few years. His health broke down under the strain of his long and close application to study. He engaged in extensive travel abroad, in Europe and elsewhere, and is said to have had so great a facility for the acquisition of foreign languages that he was able to speak French, German, Italian, Spanish, and Portuguese. His acquaintance

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with the Latin and Greek classics he kept up with ardor to the latest day of his life.

He lived and practiced his profession in Northwood from 1861 to 1865, excepting the year 1863.

The use of stimulants, to which he was advised to resort for the restoration of his health, and under the influence of which he was in danger of falling, in spite of the best intentions, constituted the main obstacle to his attainment of that professional eminence which his abilities and accomplishments entitled him to expect.

His warm heart, companionable disposition, and honorable feelings won him an abundance of friends wherever he chanced to be.

Mr. Clarke married, September 24, 1857, Martha A., daughter of Hon. George H. Kuhn of Boston, Massachusetts, and left a son and a daughter.

WILLIAM COGSWELL CLARKE.

Son of Greenleaf and Judith (Cogswell) Clarke ; born, Atkinson, December 10, 1810 ; Dartmouth College, 1832 ; admitted, 1836 ; practiced, Meredith and Manchester ; died, Manchester, April 25, 1872.

Mr. Clarke at the academy in Atkinson and in college held high rank in scholarship. One year he was principal of the academy in Gilmanton, and then began legal study at the Harvard Law School, with Stephen Moody of Gilmanton and Stephen C. Lyford of Meredith. In Meredith he commenced practice in 1836. Four years afterwards, Belknap County was organized, and Mr. Clarke was appointed its first solicitor. In 1844 he moved to Manchester.

In 1849 and 1850 he was chosen city solicitor ; in 1850 he was a delegate to the state constitutional convention, and in 1851 he was appointed Judge of Probate for Hillsborough County. In 1855 he declined the offer of a seat on the bench of the Supreme Court of New Hampshire, and in 1856, as one of the results of a political overturn in the State, he was superseded in the office of Judge of Probate. In 1863 he received the appointment of Attorney-General of the State, which he retained to the time of his decease.

He was for many years a director and trustee of two or three banking institutions, a trustee of the Manchester Athenæum, and trustee and clerk of the City Library, and for a time treasurer

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and afterwards clerk of the Manchester and Lawrence Railroad.

Up to the time of his assumption of the duties of Attorney-General, he enjoyed a large private practice. As the public prosecutor of the State he gained high credit. He was a careful and exact lawyer, and rarely if ever made a slip in his pleadings. He was scrupulous in attention to his official duties, and allowed no offenses to pass without proper inquiry and investigation. At the same time he could make allowance for youth and ignorance, and had no vindictiveness or severity in his disposition. It was never believed of him that he used the extensive powers of his office wrongfully, or even heedlessly. On the contrary his acts were all with a single eye to justice and the public good.

Judge Clarke married, in 1834, Anna Maria, daughter of Stephen L. Greeley of Gilmanton, who with two sons and two daughters survived him. Their oldest son is a lawyer, formerly of Manchester, and now in New York city.

AUGUSTUS BAXTER CLAY.

Son of Barber and Mary (Stevens) Clay ; born, Andover, February 19, 1831 ; admitted, 1858 ; practiced, Newmarket ; died there, March 26, 1861.

Mr. Clay's education was obtained in the common schools and at the academies in Nashua and Andover, Massachusetts. Before reaching the age of twenty-one he was employed in a store in Newmarket, but was then looking forward to the law as his profession, and devoted all his spare hours to study. He finished his preliminary reading in the office of William B. Small of Newmarket, and began practice there immediately after his admission.

He was bright and ambitious, and his career, both as a lawyer and a politician, promised to be a very successful one. He was elected a member of the legislature in 1860, and had laid the foundations of a considerable legal business, when he was attacked by the illness which in two weeks terminated his earthly existence.

He married Mary G. Woodman of Newmarket, February 26, 1852. They had one daughter, who died in childhood.

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JAMES BOWDOIN CLEAVELAND.

Son of Professor Parker and Martha (Bush) Cleaveland ; born, Brunswick, Maine, 1810 ; Bowdoin College, 1828 ; practiced, Newmarket ; died, Brunswick, Maine, 1854.

Mr. Cleaveland was a man of handsome talents and stood well in college. He divided the period of his law study between the offices of Ebenezer Everett of his native town, Stephen Longfellow of Portland, Maine, and Rufus Choate of Boston, Massachusetts. He was an inhabitant of New Hampshire from 1835 to 1837, practicing in Newmarket. The residue of his professional life he spent in Maine, at first in Portland, afterwards at Gray, and finally at Passadumkeag on the Penobscot. One year he was a member of the legislature of Maine. In the summer of 1854 he came to his father's house in poor health, and shortly afterwards died of dysentery.

His wife was Lucinda P. Kenney, and they had four children.

EDWIN FRANKLIN CLOUTMAN.

Son of Jeremiah A. Cloutman ; born, Alton, 1838 ; admitted, 1879 ; practiced, Milton and Farmington ; died, Farmington, January 14, 1890.

Mr. Cloutman was educated at the public schools of Farmington and at the Phillips Exeter Academy, and studied law with George N. Eastman of Farmington and Josiah G. Hall of Dover. He was admitted to the bar of Essex County in Massachusetts, and practiced awhile in Lynn. In this State he opened an office, first in Milton (Mills), but after a short experience there, established himself in Farmington. He was considered a man of ability and good promise, and in the five or six years that he resided there had gained a respectable business.

He was married to Ellen F. Alexander of Mount Vernon, and left one child.

FRANCIS COGSWELL.

Son of Colonel Amos and Lydia (Baker) Cogswell ; born, Dover, April 16, 1790 ; practiced, Dover and Boscawen ; died, Goodwin, Dakota, October 22, 1881.

In his youth Mr. Cogswell was wild and difficult of control. He entered Dartmouth College, and remained in his class

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three years, and was then sent away for some serious misdemeanor. He prepared himself for the law under Oliver Crosby of Dover; practiced in that town from 1817 to about 1822, and then removed to Corser's Hill in Boscawen, with the intention of carrying on a farm in addition to his law business. At first he is said to have been dissipated, but he afterwards reformed, led a more orderly life, and used to exhort in religious meetings. He quitted New Hampshire about 1833 and removed to Dakota, and there rounded out his life of more than ninety years, dying in the house of his second son.

He was married, March 7, 1820, to Mrs. Elizabeth (Smith) Tebbets of Dover, and left three sons and four daughters. One, if not two of his sons followed their father's profession.

FRANCIS COGSWELL.

Son of Dr. William and Judith (Badger) Cogswell; born, Atkinson, December 21, 1800; Dartmouth College, 1822; admitted, 1827; practiced, Tuftonborough, Ossipee, and Dover; died, Andover, Massachusetts, February 11, 1880.

Mr. Cogswell was preceptor of the academy at Meredith two years after his graduation, and then attended to the study of the law in Gilmanton under the direction of Stephen Moody. His first practice was at Tuftonborough, but shortly afterwards he removed to Ossipee, and remained there about five years. Thence, in 1834, he proceeded to Dover, receiving the appointment of clerk of the courts in Strafford County. That position he resigned in 1842, and took up his residence in Andover, Massachusetts. He was appointed treasurer of the Ballardvale Woolen Company, and in 1845 became also cashier of the Andover Bank. After eleven years of duty there, he was chosen president of the Boston and Maine Railroad. In 1862 he relinquished the latter office, but in 1865 he was reëlected and served till 1871. Under his management the railroad gained greatly in means and credit.

He was a director in the Andover Bank twenty years, treasurer of the Marland Manufacturing Company twenty-two years, a trustee of the Gilmanton and Atkinson academies, and of the Punchard Free School at Andover, and an overseer of Harvard College six years. His business talents were excellent, his social qualities made him acceptable everywhere, and his power of reading and dealing

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with men was uncommon. His personal character was high, — his integrity above suspicion. He was systematic and industrious, and put his best abilities into the work he had to do.

He was married, June 8, 1829, to Mary S., daughter of Abraham Marland of Andover, Massachusetts, and was the father of eight children.

NATHANIEL COGSWELL.

Son of Hon. Thomas and Ruth (Badger) Cogswell; born, Haverhill, Massachusetts, January 19, 1773; Dartmouth College, 1794; practiced, Gilmanton; died at the rapids of Red River, in Louisiana or Arkansas, August, 1813.[1]

Nathaniel Cogswell was a student at Phillips Exeter Academy in 1784. He studied his profession with Ebenezer Smith of Durham, and commenced practice in Gilmanton in 1805. He stayed there three years, and then removed to Newburyport, Massachusetts. He was a rolling stone, and traveled extensively in Europe. He was, moreover, a black sheep in discredit with the bar, and by his criminal extravagance impaired the property of his father. Having a fancy for the military profession, as was the case with many of his family, he was aid to General Brickett in the militia, and afterwards joined the patriot army in one of the many revolutionary movements in Mexico, and rose to the rank of major-general. It was while he was in that service that his death took place.

BENJAMIN MARION COLBY.

Son of Benjamin and Polly (Woodman) Colby; born, Sanbornton, July 25, 1818; admitted, 1845; practiced, Sanbornton; died there, February 9, 1863.

The father of Mr. Colby was a veteran schoolmaster, and though the son did not receive a liberal education, yet he must have been well instructed. Most of the time of his legal study was passed with George W. Nesmith of Franklin. He practiced in his native town where he was best known and highly esteemed, and was very successful in his profession. He was chosen superintending school committee from 1847 to 1849. Though he was in practice but eighteen years, yet he accumulated a handsome property, and by fair and honorable dealing.

[1] Another account states that his death occurred in May, 1814.

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Mr. Colby was widely connected with the members of his profession. He was an elder brother of Jeremiah H. W. Colby of Dover, a nephew of Jeremiah H. Woodman of Rochester, and of Charles Woodman of Dover; and a cousin of Charles W. Woodman of Dover, Moses K. Hazelton of Bradford, and Jonathan Kittredge of Canaan.

His first marriage, April 28, 1852, was with Electa M., daughter of Joseph L. Conner; his second, January 29, 1861, with Elizabeth D., daughter of David Robinson of Stratham. By his first wife he had one son, who died in childhood.

JEREMIAH HALL WOODMAN COLBY.

Son of Benjamin and Polly (Woodman) Colby; born, Sanbornton, January 14, 1821; Dartmouth College, 1842; practiced, Dover; died, Manitowoc, Wisconsin, May 11, 1853.

Eleven years from the time of his leaving college brought the life of Mr. Colby to a close, and of that period less than one half was spent in New Hampshire. From 1842 to 1845 he was reading law with Daniel M. Christie and Charles W. Woodman in Dover; then he was a year in practice there, and in 1846 he emigrated to Wisconsin. He settled in Manitowoc in 1847, and in the six years he lived there was appointed district attorney for one term, and for a short time Judge of Probate for the county.

His wife was Emily, daughter of Benjamin Jones of Chicago, Illinois, and they were married October 29, 1850. They had no children.

DAVID HAYNES COLLINS.

Son of Samuel and Sarah (Haynes) Collins; born, Deerfield, November 9, 1811; Dartmouth College, 1835; practiced Plymouth and Haverhill; died, Deerfield, June 24, 1843.

Mr. Collins after completing his course in college read law with Charles H. Peaslee in Concord and Josiah Quincy in Rumney. He began practice at Plymouth, but soon went to Haverhill, where he lived from 1839 to near the time of his decease. In July of that year he was appointed register of Probate for Grafton County, and held the office about three years. His services in that capacity were of great value, as he rearranged

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and indexed the neglected papers in the office in a methodical and orderly manner. But his health was so slender that he was constrained to spend the last winter of his life in the South, but without substantial benefit, and he returned to die among his kindred.

Mr. Collins was well educated, possessed a good deal of literary taste, and wrote letters that showed originality and polish. He was somewhat peculiar and reserved towards strangers, but those who came to know him well found him most social and agreeable.

MOSES NORRIS COLLINS.

Son of David and Ruth (Bean) Collins; born, Brentwood, April 15, 1820; admitted, 1856; practiced, Exeter; died, the Wilderness, Virginia, May 6, 1864.

Mr. Collins had an academical education, and was several years employed in teaching in Maryland. He began the study of the law in the office of Bartlett and McMurphy of Epping, and completed it with Gilman Marston at Exeter, with whom, after his admission to the bar in 1857, he became a partner.

He was an energetic and efficient practitioner, and during the absence of General Marston in Congress and in the army, conducted the business of the office with ability and success. He represented Brentwood in the legislature in 1855; and in 1861 and 1862 he was elected to the same office from Exeter. While he was in Concord in the latter year the 11th regiment of New Hampshire Volunteers was organized, and Mr. Collins was appointed its major, from which post he was soon afterwards promoted to be lieutenant-colonel. He proceeded with the regiment to the seat of war; was with it in the fruitless battle of Fredericksburg in December following, and in nearly all the engagements in which it took part, to the battle of the Wilderness in May, 1864.

On that occasion he was bravely leading his men to the attack, when he received a rifle bullet in the brain, and fell instantly dead.

Colonel Collins was possessed of robust powers, mental and physical, and was ambitious and persevering. He could not have desired a more honorable termination of his brief career than that of giving his life to his country's cause.

He was married to Abby Dow of Epping, and left one daughter.

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ABEL CONANT.

Son of Abel and Margaret (Jewett) Conant ; born, Hollis, June 1, 1784 ; admitted, 1813 ; practiced, New Ipswich ; died, Lowell, Massachusetts, April 12, 1875.

Mr. Conant studied his profession with Walter Hastings of Townsend, Massachusetts, and was admitted to practice in that State. Settling in Townsend he remained there until 1820 when he came into New Hampshire and located himself in New Ipswich, where he resided six years or more, engaged in the practice of his profession. He then proceeded to Lowell, Massachusetts, and, his health being poor, he abandoned the law and gave his attention to the study of new inventions in chemistry and mechanics. He was highly successful. He invented the seraphine, or parlor organ ; and the hollow auger, so much used by wheelwrights. The mortise lock, one of the greatest conveniences of modern times, was conceived and patented by him ; and he was the discoverer of the method of raising bread by cream of tartar and other acids, which, though a saving of labor, is in other respects a doubtful blessing. It would seem that these improvements should have brought their originator fame and fortune. But the difficulty of preventing infringements upon his patents deprived him in a great measure of the rewards to which he was justly entitled.

Mr. Conant did not cease his useful labors for benefiting the public whilst his life lasted.

He was married in 1822 to Harriet, daughter of Professor John Hubbard of Dartmouth College.

NOAH COOKE.

Son of Noah and Keziah (Parsons) Cooke ; born, Hadley, Massachusetts, October 8, 1749 (O. S.) ; Harvard College, 1769 ; practiced, Keene ; died there, October 15, 1829.

Mr. Cooke was fitted for college at the grammar school in his native town. He became a resident-graduate and student of divinity at Cambridge, and was licensed as a preacher on the day when he attained the age of twenty-two years. In October, 1775, he joined the American forces stationed at Winter Hill as a chaplain, and was commissioned and performed his duties as such first

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in the regiments of Colonels John Stark and Enoch Poor, and afterwards in the hospital of the eastern department of the Continental army. In 1780 he retired from the military service.

It is alleged that his pay as chaplain was received by Colonel Stark, who for some cause refused to turn it over to Mr. Cooke, so that a suit was necessary to recover it; and that Stark's popularity was so great that the jurors only with great reluctance agreed upon a verdict against him.

Mr. Cooke then determined to adopt the profession of the law; not from any disinclination to that of the ministry, but because of the poverty of the country after the war, and the scanty support that could be afforded to the clergy, imposing upon them the necessity of manual labor, which in his case was impossible by reason of lameness and bodily infirmity. He read in the office of Daniel Newcomb of Keene,[1] and was admitted an attorney in Cheshire County in January, 1784.

He commenced to practice in New Ipswich, where he built a dwelling-house and remained till 1791, when, after Mr. Newcomb received the appointment of Judge, he removed to Keene which was then without any other lawyers. There he continued to practice his profession to quite an advanced period of his life, until disease disabled him from appearing abroad.[2]

The physical infirmity under which he labored gave him an aversion for employments that would require much active exertion, and he was mainly an office lawyer, but had the reputation of being an upright and safe counselor, and a judicious and skillful manager. Both in New Ipswich and in Keene he was noted for his interest in town affairs, and particularly in the public schools. He was described as "a good citizen, a kind neighbor, and an indulgent parent."

[1] While he was with Mr. Newcomb, on April 19, 1783, an agreement was made between them that Mr. Cooke should "have as perquisites all writings except original writs and processes." This method of dividing the business of a lawyer with a well qualified student was probably not unusual.

[2] As evidence of the extremely modest professional charges of the early days of Mr. Cooke's practice, the following bill of his is introduced: —

"March 27, 1799, Abijah Wilder to Noah Cooke, Dr.
To drawing writings between him and Prentiss, 15 cents."

The Prentiss referred to was John Prentiss, the founder of the *New Hampshire Sentinel*, who lived to be the oldest editor and publisher in the State; and the transaction which gave occasion for the "writings" was the sale of the office at which the paper was first printed.

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He was married in 1784 to Mary, daughter of Nathaniel Rockwood of Winchester. By her he had four children, of whom two, Josiah P. and Noah R., entered the profession of the law. After the death of his wife in 1801 Mr. Cooke was married in 1805 to Eliza, widow of Dr. Abraham Moore of Bolton, Massachusetts. She died in 1836.

NOAH ROCKWOOD COOKE.

Son of Noah and Mary (Rockwood) Cooke ; born, Keene, June 17, 1792 ; admitted, 1816 ; practiced, Rindge and Keene ; died, Keene, July 21, 1872.

Mr. Cooke was a student in Chesterfield Academy, and completed his preparation for college under the tuition of Rev. Mr. Sabin of Fitzwilliam, but never undertook a collegiate course. He went into his father's office and there finished the required legal reading for admission as an attorney, after which he took up his residence in Rindge. There he remained until the death of his father in 1829, and then returned to Keene.

Apparently he had little taste for the work of his profession, and not being driven to exert himself, fell into the dissipated fashions of the time, like many others ; but unlike many others he had the resolution to shake off the habits before they proved ruinous. He reformed, and lived to a good old age with the respect of all those about him. He died in the house where he first saw the light.

He was married in 1850 to Maria L. Mead of Walpole ; and had no children.

SAUNDERS WELCH COOPER.

Son of Jesse Cooper ; born, Connecticut, March 4, 1791 ; admitted, 1822 ; practiced, Lancaster ; died there, c. 1865.

Mr. Cooper's father, who is described as "a bitter Federalist," is understood to have emigrated from Connecticut to Vermont about the year 1812. The son, being naturally bright and ambitious, succeeded in qualifying himself for the practice of the law and was admitted in Essex County, Vermont. He proceeded to Colebrook, and passed a while there, doing some collecting business. He also practiced somewhat in Canaan, Vermont. Between 1830 and 1840 he came to Lancaster, and there remained as long as he lived.

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While he could not be called a learned lawyer, he could prepare a case well, and was "pretty keen in a trial." His appeals to the jury were well put, though he was rather inclined to verbosity and prolixity. It was while he was arguing a cause at much length to a jury, that the learned Chief Justice who was presiding, lost his patience and his balance, hitched his chair fairly off the platform of the bench, and measured his length upon the floor. The accident naturally created a sensation, and broke the thread of the counsel's harangue. Cooper lost his verdict, and afterwards complained of the interruption, saying it prevented him from arguing his case as he wanted to!

He had an inveterate prejudice against a former member of the Court. On one occasion his power of protracting his speech did him good service. The last day of term had come, the Court was about to adjourn, and the obnoxious presiding Judge was to leave in the stage at a given hour. A trial in which Mr. Cooper was counsel for the plaintiff was in progress, and the Judge vainly endeavored to hurry it along, that he might give it to the jury before he departed. But the counsel had no mind that *he* should have the charging of the jury. At that time the "side judges" had all the power of the Court, in the absence of the circuit justice. Mr. Cooper was quite willing that they should submit his cause to the jury, and drew out his argument to such a length that the presiding Judge had to go off before it was finished. He then brought it to a close; the county judges completed the case, and it is to be hoped that the counsel gained the reward of his ingenuity.

Mr. Cooper received the appointment of solicitor of Coos County in January, 1847, and held the office for one or two years.

In 1854 he was compelled by failing health to give up practice, and was never able to do any law business afterwards.

His wife was Mary Porter of Lancaster.

WILLIAM J. COPELAND.

Son of Rev. William H. Copeland; born, Albion, Maine, January 24, 1841; admitted, 1862; practiced, Somersworth and Manchester; died, Somersworth, August 1, 1886.

Mr. Copeland was educated in West Lebanon, Berwick, and Limerick academies in Maine, and studied law with Increase S.

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Kimball of Sanford in that State. He obtained the means to defray the charges of his education by his personal exertions, in teaching school in winter, and in laboring upon a farm in summer. When admitted to practice he was under twenty-one years of age. He first settled in Presque Isle, Maine, till 1868, when he moved his office to Great Falls village in Somersworth. It was but a short time before his strength as a jury lawyer was noised abroad, and clients began to pour in upon him. For several years he was the leading advocate of his section of the State, and was retained in many weighty causes in other counties. He gained much celebrity by his defense of two persons indicted in Carroll County for murder, Joseph B. Buzzell in 1874, and Sylvester W. Cone in 1876. The case of the former was peculiar and almost unprecedented, for after being acquitted of murder, he was again tried for being accessary before the fact to the same murder. In those cases Mr. Copeland showed his capacity for severe and long-continued intellectual effort, his power of keen analysis, his familiarity with the principles of evidence, and his masterful influence with witnesses and jurors. He was not distinguished for culture, reading little, probably, beyond legal works and the news of the day. Nor was he noted for refinement, as he was negligent in his personal habits, and blunt of speech. He was a ready talker, and fond of intercourse with all sorts and conditions of men. He has been called "a master of the art of cross-examination." Quick in perception, ready and fertile in resources, he was not often taken at a disadvantage. His forte was his logical acuteness, joined with an earnestness and personal force that would take no denial.

In 1882 he opened an office in Manchester, and divided his time thereafter between that city and Somersworth, his practice in extent and value rivaling that of any other lawyer in the State. The last three winters of his life he spent in Florida, where he had purchased lands, and was extensively engaged in planting orange groves.

Mr. Copeland in 1862 married Ellen M. Wade, granddaughter of Colonel Benjamin Foster of Machias, Maine. She, with their three daughters, survived him.

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AMASA COPP.

Son of David and Margaret (Palmer) Copp ; born, Wakefield, October 8, 1788 ; Dartmouth College, 1811 ; admitted, 1815 ; practiced, Milton and Wakefield ; died, Wakefield, January 7, 1871.

President Wheelock said that New Hampshire could not produce another so brilliant young man as Amasa Copp. Prepared for his profession under William K. Atkinson of Dover and Amos Kent of Chester, Mr. Copp began practice in Milton, but soon removed to Wakefield. From that town he was chosen a representative in the legislature in 1832, 1833, 1834, and 1838, 1839, and 1840. He was fonder of hunting foxes than of the law, and preferred to trust to the inspiration of the moment rather than to submit to the drudgery of systematic study. Though by native powers he was a leading man, yet he never grew to be a lawyer of great learning. He is said to have made for a time more writs than any other practitioner in the county, and was a ready and strong speaker. He was tall and large in person and of high courage, and as the trials before justices and arbitrators used occasionally to degenerate into contests of physical strength, his services in such encounters were very desirable. He used to boast that he was captain of the swamp law as Jeremiah Mason was of the common law. Of great natural powers, only application was needed to make him the equal of the best lawyers of his generation.

He married, December 31, 1813, Charlotte K., daughter of William K. Atkinson of Dover. She died November 4, 1815, and he married, December 13, 1821, Eliza L., daughter of John Remick of Milton. He had four children, a son and three daughters.

DAVID COPP, JR.

This was a son of David Copp of Wakefield. He was at the Phillips Exeter Academy in 1784, and afterwards pursued the study of the law in the office of William K. Atkinson of Dover. In that place he was settled as a lawyer as early as 1797, and lived seven or eight years. He is said to have quitted New Hampshire under a cloud, and went to New Orleans, Louisiana, where he died in 1803.

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He appears to have been a man of much ability, but with the moral side of his character less developed than the intellectual.

His wife was a Miss Watson of Dover.

HENRY CRAWFORD.

Son of Theophilus and Annis Crawford ; born, Westminster, Vermont, September 22, 1793 ; Middlebury College, 1815 ; practiced, Walpole ; died, Aurora, New York, 1836.

This gentleman sojourned in New Hampshire only about two years, and little has been learned respecting him, at this late day. He studied law with William C. Bradley of Westminster, Vermont, and was in practice in Walpole from 1820 to 1822, while he was still a tyro in his profession, and afterwards removed to Buffalo, and thence to Aurora, New York. He had, in Walpole, the reputation of being a promising young lawyer.

He married Wealthy Wales, December 10, 1819, and had one daughter.

JABEZ CROOKER.

Born, Easton (or Pembroke), Massachusetts, c. 1786 ; admitted, 1816 ; practiced, Chester ; died, Coosawhatchie, South Carolina, November 27, 1823.

This gentleman was a twin or younger brother of Stephen Crooker. He was an inhabitant of Chester in 1814, while he was a student-at-law with Daniel French, and in September of that year was sergeant and clerk of the militia company which was mustered into the service of the United States for sixty days, and stationed at Portsmouth. In August, 1816, he was admitted an attorney of the Common Pleas, and from that time to about 1820, he was in practice in Chester. He removed afterwards to South Carolina.

In September or October, 1817, he was married to Susan Sargent Foss, a granddaughter of Judge Nathaniel P. Sargent of Massachusetts.

STEPHEN CROOKER.

Born, Easton (or Pembroke), Massachusetts, 1786 ; admitted, 1816 ; practiced, Merrimac ; died there, April 2, 1824.

Stephen Crooker was a student at Phillips Exeter Academy in 1809, and his residence was then Halifax, Nova Scotia. He is said

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to have been an attorney in Plymouth County before 1815, and made application in that year for admission to the bar of Rockingham County, without success. In August, 1816, however, he received their approbation to practice here.

He opened an office in Merrimac in 1814, and lived there about ten years. He was chosen moderator at one or more meetings of the town, and, so far as appears, maintained a creditable standing in his profession.

His wife was Mrs. Sarah (Gage) Conant, daughter of Deacon Aaron Gage of Merrimac, and they had five children.

ALBERT HARRISON CROSBY.

Son of Dr. Dixi and Mary J. (Moody) Crosby ; born, Gilmanton, April 23, 1828 ; Dartmouth College, 1848 ; practiced, Francestown ; died, Exeter, September 5, 1886.

Dr. Crosby (by which title he was known the greater part of his adult life) was a lawyer not above six years in all, only about two of which he lived in this State. He studied with his uncle Nathan Crosby of Lowell, Massachusetts, at the Harvard Law School, and with Samuel Fessenden of Portland, Maine. He practiced between 1851 and 1853 in Francestown; afterwards in Connecticut and in New York city. Somewhat discouraged at the tardiness of success in the legal profession, and perhaps feeling that he was better fitted for the vocation in which his father and grandfather had distinguished themselves, he gave up the law and became a physician ; studying with his father, and taking his degree of M. D. in 1860. After practicing medicine four years at Wells River, Vermont, he removed to Concord, and resided the rest of his life there as a physician and surgeon, enjoying an extensive business, and a high reputation for science and skill.

He was a medical officer in the military service of the government nearly three years, during the civil war ; was physician of the state prison sixteen years ; was one of the board of examining surgeons of the pension bureau for a number of years, and was an active member of the New Hampshire Medical Society, and at one time its president. His private practice was large; he was frequently called in consultation outside of Concord, and to perform surgical operations, for which he had special fitness. He likewise gave many lectures before lyceums and literary societies, and contributed numerous articles to medical journals and the press.

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His wife was Rebecca, daughter of Moody Moore of Wells River, Vermont. They were married November 20, 1860, and had one daughter.

DANIEL AVERY CROSBY.

Son of Dr. Josiah and Olive L. (Avery) Crosby; born, Gilford, July 16, 1836; Dartmouth College, 1857; practiced, Manchester; died there, December 5, 1866.

Mr. Crosby divided his three years of legal study between the offices of Samuel Upton and of Clark and Smith in Manchester, and began practice there in 1860. In two years he left New England, for the benefit of his health, and went to San Francisco, California, where he opened an office. He was chosen librarian of the city, but after a stay of four years was compelled by the decline of his health to return to Manchester, the home of his parents. His disease was consumption, and he survived his return but a few months.

The historian of the Crosby family says "he was a careful scholar, methodical in his acquisitions, sincere and pure in his life, habits, and influences."

The beginning he made in his profession was respectable, and gave good promise for the future, had life and strength permitted.

He was unmarried.

NATHAN CROSBY, LL. D.

Son of Dr. Asa and Rebecca (Holt) Crosby; born, Sandwich, February 12, 1798; Dartmouth College, 1820; admitted, 1823; practiced, New Chester and Gilmanton; died, Lowell, Massachusetts, February 11, 1885.

Mr. Crosby had for his instructors Dudley Leavitt at Meredith, and Samuel I. Wells at Salisbury Academy, both eminent teachers. He studied his profession at Gilmanton, in the office of Stephen Moody. He first practiced in New Chester, now Hill, but after a short time returned to Gilmanton, and became a partner of Mr. Moody. In 1826 he removed to Amesbury, and in 1829 to Newburyport, Massachusetts. There he accepted the position of under agent of the Salisbury Manufacturing Company the succeeding six years. He moved to Boston in 1839, as agent of the Massachusetts Temperance Union, and for five years

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traveled through the State in behalf of the great reform. In 1843 he resumed the practice of the law in Lowell, Massachusetts, and in 1845 and 1846 went to New Hampshire as the agent of the manufacturing corporations of Lowell and Lawrence, for the purchase of the lakes as reservoirs of water for the steady supply of the Merrimac River, on which their mills were situated. In May, 1846, he was commissioned Judge of the Police Court of Lowell, which office he filled more than thirty-eight years, and almost to the day of his death.

Judge Crosby was not only a discreet, learned, and able magistrate; he was also a useful and influential citizen, and an author noted alike for his literary and his historical excellence. A pioneer in the anti-slavery movement, when the great Rebellion arose he was the first to propose a scheme for the sanitary relief of the Union soldiers, and subscribed one hundred dollars to inaugurate an association for the purpose, of which he became the first president. Many other benevolent and philanthropic objects received his support through the public press and by pecuniary donations.

He edited several temperance journals, and published two volumes of obituary notices in 1857 and 1858; eulogies upon Judge Wilde and Tappan Wentworth, and notices of distinguished men of Essex County. An address he delivered on the first half century of Dartmouth College and his history of a Crosby family are full of valuable information. His *Alma Mater* worthily conferred upon him the honorary degree of LL. D. in 1879.

He was married to Rebecca M., daughter of Stephen Moody of Gilmanton, September 28, 1824, and to his second wife, Matilda (Pickens) Fearing, May 19, 1870. He had nine children, all by his first marriage.

OLIVER CROSBY.

Son of Major Oliver Crosby; born, Billerica, Massachusetts, March 17, 1769; Harvard College, 1795; practiced, Dover; died, Atkinson, Maine, July 30, 1851.

Mr. Crosby prosecuted his law studies in the office of William K. Atkinson of Dover, and was admitted about the year 1798. He chose Dover for his residence, and remained there in practice

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for more than a quarter of a century. He had a handsome business, and was regarded as a reliable counselor, though he could not be called eminent in his profession. His collections and office business brought him in good returns, and he invested his gains in lands in the township of Atkinson, Maine, so that at length he considered it for his advantage to remove thither to superintend his possessions. This was about the year 1821, and from that time he practically gave up professional engagements. He was highly esteemed in his new home for integrity and usefulness.

While a resident of Dover, the story goes, that he used to sing in church, though his style was rather vigorous than melodious. His brother lawyer, Charles Woodman (who was no vocalist), was observed one day lending the choir the aid of *his* powerful voice also. On being asked the reason of the unusual effort, he replied, "I am trying to drown Crosby."

Mr. Crosby's wife was Harriet, a daughter of Stephen Chase of Portsmouth.

JOHN WESLEY CURRIER.

Son of Rev. John and Martha (Foster) Currier; born, Walden, Vermont, September 7, 1835; Middletown University, 1857; admitted, 1862; practiced, Alton; died there, June 8, 1887.

The father of Mr. Currier was a minister of the Methodist denomination, whose home was often changed. His son fitted himself for college in the towns where his father was stationed, and was in the Albany Law School in 1861. Entering the office of Lewis W. Fling of Bristol the next year, he was admitted to the bar in Belknap County, and established himself in Alton. Twice he was appointed county solicitor; in 1867 and 1868 he was assistant clerk of the state Senate, and the two following years was the principal clerk. Eighteen years he was chosen town clerk of Alton, and for some time was connected with its schools.

He was a good lawyer, and dealt honestly and candidly with all who consulted with him. He never encouraged litigation where it could properly be avoided, and was essentially a peacemaker. He had, however, a sufficiency of business in the courts, and in some noted cases made his mark.

His reading was not confined to his profession. He was a man of culture, and the author of poetical articles of merit. In con-

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versation he was ready, entertaining, and witty. He gained an abundance of friends.

His wife was a daughter of Lieutenant-Colonel George D. Savage of Alton. She with their two sons outlived him.

THOMAS CURRIER.

Born, Dover, 1801 ; admitted, 1825 ; practiced, Portsmouth and Dover ; died, Conway, c. 1875.

This gentleman was by inheritance in easy circumstances. He was a student in the Phillips Exeter Academy in 1814, and prepared himself for the bar in the office of William Burleigh of South Berwick, Maine, and in that of Jeremiah Mason of Portsmouth. His name appears among the lawyers of Portsmouth in 1825, and among those of Dover in 1826, and a number of subsequent years. In fact, however, he is said to have had no office, and no regular business, though Dover was his home until 1840 or later. Afterwards for the residue of his life he resided in Conway.

Mr. Currier is reputed to have been a man of peculiar habits, a bachelor, and a dyspeptic. He traveled in this country extensively ; visited New Orleans and the far West. In Minnesota he bought land, but finding the taxes to be burdensome, he abandoned it. He made no figure at the bar.

EDMUND HENRY CUSHING.

Son of Hon. Edmund L. and Laura E. (Lovell) Cushing; born, Charlestown, July 22, 1838; Harvard College, 1859 ; admitted, 1862 ; practiced, Charlestown ; died at sea, March 11, 1869.

This young gentleman had scarcely qualified himself for commencing professional life, when at the call of patriotism he entered the naval service of the United States, as secretary to Admiral Andrew H. Foote, and accompanied him in his various tours of duty up to the time of his death in 1863. Receiving then the commission of paymaster in the navy, he continued in active service until the close of his life, which was occasioned by yellow fever. His remains were buried at sea.

He is described as greatly beloved, and as having given promise of a distinguished career. Unfortunately, his connection with

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the law was too brief to prove by experience what he might have accomplished.

He never married.

SAMUEL CUSHMAN.

Son of Job and Priscilla (Ripley) Cushman; born, Hebron, Maine, July 21, 1783; admitted, 1807; practiced, Portsmouth; died there, May 22, 1851.

Mr. Cushman's education was obtained at the common schools and academies within easy reach of his home. He studied his profession with that eccentric genius, John Holmes of Alfred, Maine, and in 1807 set up practice in Parsonsfield in the same State. There he remained nine years, doing no large legal business, for he was a "foe to all unnecessary litigation," but employed considerably as an officer of the town, and as postmaster during the administration of President Madison.

In 1816 he took up his abode in Portsmouth where, though he had a fair amount of practice as a lawyer, he did not devote himself wholly to it, but was engaged in the care of estates, and in various official duties. He was overseer of the poor, town agent, assessor of taxes, and chairman of the district school committee of Portsmouth; treasurer of the county, five years; executive councilor, two years; and a member of Congress two terms, beginning in 1835. In addition to this he was postmaster during a part of Van Buren's administration, and navy agent through Polk's administration; and on the adoption of a city charter by Portsmouth in 1850, was appointed the first Justice of her Police Court.

In Congress he was noted rather for his business qualities and attention to his official duties than as a speech-maker, and by his devotion to the furtherance of his party's measures, received from his opponents the *sobriquet* of "Previous Question" Cushman. He was honest as well as earnest in his convictions, and his private character was above reproach.

As a lawyer he required to be convinced of the justice of a cause before he would undertake it, and listened willingly to the calls of the poor and the friendless. His life was correct and without a stain, and he lived and died a consistent Christian.

He married in May, 1812, Maria J., daughter of John Salter of Portsmouth. They had twelve children of whom it is believed that only two survived their father.

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ZARA CUTLER.

Son of Captain Benoni and Laurana (Leavens) Cutler; born, Guildhall, Vermont, December, 1786; practiced, Northumberland and Conway; died, Conway, March 2, 1861.

This gentleman received his education in Vermont, and studied law with Seth Cushman of that State, John M. Tillotson of Northumberland, and Sylvanus Backus of Pomfret, Connecticut.

In 1813 he settled in Northumberland, and resided there until March 31, 1816, when he adopted Conway for his future home. He lived in that town forty-five years, leading the life of a country lawyer, doing all such business as fell in his way, a good collector, not remarkable as an advocate, but interested in the affairs of his town, and much esteemed for his social and religious character. The bar of Carroll County adopted appropriate resolutions at a special meeting held after his death, referring to him as "a man of sound judgment, discreet in practice, of strict integrity, exemplary in his deportment, and of irreproachable reputation."

He was thrice married; first, to Mary Waldo of Pomfret, Connecticut, a granddaughter of General Israel Putnam. She died in 1832. His second wife was Judith, daughter of Captain Enoch Coffin of Concord. She was married, December 3, 1833, and died March 25, 1835. June 8, 1840, he married Maria Tillson of Boston, Massachusetts. By his first marriage he had six children.

CHARLES WILLIAM CUTTER.

Son of Jacob Cutter; born, Portsmouth, June 11, 1799; Harvard College, 1818; practiced, Portsmouth; died, Hatfield, Minnesota, August 6, 1856.

Mr. Cutter studied law in the office of Jeremiah Mason at Portsmouth. On his admission to the bar, September, 1821, he established himself as a practitioner in his native town, and for several years was a contributor to the Portsmouth "Journal," a newspaper of excellent repute. He soon embarked on the uncertain sea of politics. As a supporter of the Whig party he was at all times ready with his voice and pen. About 1823 he removed for a year or two to Dover, and there established a newspaper called the Dover "Republican." Returning to Portsmouth he was an associate editor of the "Journal" from July, 1825, to

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January, 1830. As a writer and speaker he was highly successful. He represented Portsmouth for several years in the state legislature, and held the offices of clerk of the Circuit and District Courts of the United States from March 13, 1826, for fifteen years. In 1841 he was appointed naval storekeeper. He enjoyed that office four years, and that of navy agent from 1849 to 1851. Not long afterwards he proceeded to the West where he closed his career.

Mr. Cutter was a model son, and a noble, generous-hearted man. Well informed in the literature of the day, interested in historical research, an attractive public speaker on the platform or from the desk, he was capable of winning distinction in almost any calling. His acquaintance with Daniel Webster and other high officers of the government gave him no little political influence. He may therefore be considered as fairly successful in the arena of politics. But as the result of his experience, he advised "every young man to follow any honest calling rather than rely for support upon public office."

He never married.

MOODY CUTTER.

Son of John and Rebecca (Browning) Cutter ; born, New Ipswich, September 1, 1782 ; admitted, September, 1808 ; practiced, Stoddard ; died there, July 29, 1827.

This was a self-made man, having no advantages of instruction save what the common schools of his native town offered in his early day. He qualified himself by his assiduity to be a schoolteacher, and studied law with Ebenezer Champney of New Ipswich. Establishing himself in Stoddard, he also taught schools there and carried on a farm. He is said to have been elected to several town offices, and to have been much esteemed, though never specially prominent as a lawyer.

He married, April 10, 1805, Henrietta, daughter of Isaac Fisher, and had six children.

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CHARLES CUTTS.

Son of Samuel Cutts ; born, Portsmouth, 1769 ; Harvard College, 1789 ; practiced, Portsmouth ; died, Fairfax County, Virginia, January 25, 1846.

Mr. Cutts' father was a merchant of Portsmouth, and his mother a daughter of President Holyoke of Harvard College. He studied law in the office of John Pickering of Portsmouth, and became a counselor of the Superior Court in 1795. He is said to have been one of a party of young men of education who gave dramatic entertainments in Portsmouth about the close of the last century. His talents were evidently of a popular cast, for he was chosen representative from Portsmouth in the legislature of 1803, and the seven years next following; and in 1807, 1808, and 1810 he was honored with the speakership. In the last of these years the office of United States senator had become vacant by the resignation of Nahum Parker, and the legislature filled it by the selection of Mr. Cutts.

He served out the three remaining years of the term, and then was appointed by Governor Plumer, temporarily, to the same seat for a month in a special session of Congress.

In 1814 he was made secretary of the United States Senate, and so continued till 1825. He never returned to live in New Hampshire afterwards, but made his home in Washington, and finally in Virginia. He was a man of good talents and acquirements, but scarcely reached the highest rank. It was said of him not unjustly that "his political career was a short and successful one ; the talents and industry which he brought into the common stock of the party were not very great, and the sacrifices which he was required to make for the common good were small." In the few years that he was in the active practice of his profession he left but few memorials of his acquirements or standing in it. One great secret of his political success is said to have been his personal popularity, based on amiable traits of character and an agreeable and impressive manner.

Mr. Cutts' wife was Lucy Henry Southall, a niece of Mrs. James Madison, and a descendant of Patrick Henry. It was at the residence of their son, in Fairfax County, Virginia, that his death occurred.

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EDWARD CUTTS.

Son of Edward Cutts ; born, Kittery, Maine, 1782 ; Harvard College, 1797 ; practiced, Portsmouth ; died there, August 22, 1844.

Mr. Cutts graduated from college with a fair reputation for scholarship, though he was not specially prominent. He entered the office of Jeremiah Mason of Portsmouth, and applied himself with diligence to the study of the law, and was admitted attorney in 1804, and counselor of the Superior Court in 1806. He settled, and performed his life's work, in Portsmouth.

He appears from the outset of his career to have limited his ambition to his profession, and to have given his best strength to climb to the loftiest place in it within the reach of his powers. He had no gift of eloquence, nor the demagogical arts by which second-rate men have acquired large employment in the courts. Whatever he accomplished was done by honest effort, and not by sleight of hand. He was an industrious worker, a clear thinker, and a lawyer of extensive learning. A cause which had his deliberate opinion in its favor was already half won. In his practice he was upright and honorable. He seldom attempted to address the court or jury in a set speech ; his forte did not lie in that direction. But the weight of his character and learning gave a force to his baldest statement, beyond the reach of rhetoric. His contemporaries at the bar regarded him as one of the most learned of their number, even when Webster, and Mason, and Bartlett, and others scarcely less eminent were members. He held no public or fiduciary position save that of president of one bank and director of another.

His history is written in the judicial records of his time. The state and federal courts were the scenes of his labors and his triumphs. His memory is that of a lawyer merely, and no memory is ordinarily more transient. Those who remember him are rapidly passing away, and their recollections have already grown dim. Posterity will know him by no literary production, by no official title, by no striking act, by not even a witty saying ; but only as an embodiment and devotee of the law. Perhaps, however, he would not have had it otherwise.

Mr. Cutts in 1810 married Mary Huske, daughter of Jacob Sheafe, Esq., of Portsmouth. They had no children.

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HAMPDEN CUTTS.

Son of Edward and Mary (Carter) Cutts; born, Portsmouth, August 3, 1802; Harvard College, 1823; practiced, Portsmouth; died, North Hartland, Vermont, April 27, 1875.

This was a nephew of Charles Cutts, and a more distant relative of Edward Cutts, lawyers of Portsmouth. He was a student of Phillips Academy in Exeter. Jeremiah Mason received him into his office as a law student, and, after his admission in 1827, he was the office-mate of Ichabod Bartlett for a year.

He was endowed with a clear, musical voice, and was distinguished while an undergraduate for his elocutionary skill. In 1824 he delivered a Fourth of July oration at Portsmouth. In 1827 he edited a newspaper, established to support the claims of John Quincy Adams for the presidency, called the "Signs of the Times."

Mr. Cutts remained in the practice of his profession in this State only six years. At that point of his career he was induced to remove to the town of North Hartland, Vermont, to take charge of a valuable farm which was presented to him by his father-in-law, Consul Jarvis. It was supposed that he could usefully divide his attention between agriculture and his law practice. But a very brief experiment satisfied him that he could not thus serve two masters, and the result was that he in a great measure abandoned his profession.

He was much engaged in public duties in Vermont. He represented Hartland in the legislature in 1840, 1841, 1847, and 1858; was state senator in 1842 and 1843; Judge of the Windsor County Court in 1849, 1850, and 1851; was first commissioner on the insane in 1845, and many years vice-president of the Windsor County Agricultural Society.

In 1861 he removed to Brattleborough. From that time until his decease he was busied in literary and historical pursuits, as a public reader and lecturer. He was an active member of the Vermont Historical Society, and a vice-president of the N. E. Historic Genealogical Society from 1867 to his death. He prepared many biographical sketches for publication, and was the author of a history of Hartland, which appeared in the "Vermont Historical Magazine."

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He was united in marriage in 1829 to Mary P. S., daughter of Consul William Jarvis of Weathersfield, Vermont. They had nine children.

SAMUEL DAKIN.

Son of Deacon Amos and Sarah (Minot) Dakin ; born, Mason, November 17, 1770 ; Dartmouth College, 1797 ; practiced, Jaffrey ; died, New Hartford, New York, January 29, 1844.

In college Mr. Dakin excelled in scholarship. He was admitted an attorney in Grafton County in 1800. Commencing practice in Jaffrey in 1801, he lived in that place about fifteen years. He was a very respectable lawyer, and had a considerable practice, but wishing for a more active business he gave up the law and engaged in the manufacture of crockery. In order to produce a white ware of the proper quality, he found it necessary to send to Monkton, Vermont, to obtain a suitable clay. The expense of this was so great that it swallowed up all the profits of the manufacture. Mr. Dakin became involved, and the business was abandoned.

On his first arrival in Jaffrey he received the appointment of postmaster. From 1806 to 1815 he was town clerk and selectman.

About 1816 he went for a short time to Goffstown, and then left the State, going first to Utica, and afterwards to New Hartford, New York.

His wife was Polly, daughter of Rev. Stephen Farrar of New Ipswich. They had a family of seven children.

SAMUEL DANA.

Son of William Dana ; born, Cambridge, now Brighton, Massachusetts, January 25, 1739 ; Harvard College, 1755 ; practiced, Amherst ; died there, April 2, 1798.

Mr. Dana, in conformity with the wishes of his parents, prepared himself for the religious ministry, and was ordained in June, 1761, over the Congregational society of Groton, Massachusetts. He preached there to the acceptance of the people fourteen years, and until the dawning of the American Revolution. Believing in his conscience that opposition to the measures of the British gov-

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ernment would result in failure and a worse condition of things for the colonies, he expressed those opinions in a discourse, on a windy Sunday in March, 1775, which was afterwards called his "wind sermon," and led to a dissolution of his official relation to the parish, without the aid of a council.

Later he heartily supported the measures of the people's government, and prepared himself for a change of profession. After some private study of the principles of jurisprudence, he went to Amherst and read law with Joshua Atherton, and in 1781 was admitted an attorney, and settled there.

His education and experience in public speaking, with his mature years, gave him a great advantage, at the start. He is said, however, never to have mastered some of the technicalities of the profession, — such as the science of special pleading, — but in that particular, to be sure, he was on an equality with most of his professional brethren. His peculiar strength lay in his methodical habits and in his power as an advocate. He addressed the jury with the gravity and almost the solemnity which belonged to the pulpit; his language was fluent and his style perspicuous; and he evinced an intimate acquaintance with human nature. Thus he wielded a great influence over the jury, and was very successful in causes which came before them. He possessed a self-control which was rarely disturbed, and sometimes indulged in a sly, biting humor not easy for others to bear. He must have been a formidable adversary in those times.

In 1782 he was elected a delegate from Amherst to the convention which formed the state Constitution of 1783. In 1783 he was appointed a judge of the Inferior Court of Common Pleas, but declined the office. In 1785 he was commissioned register of Probate for the county of Hillsborough, and in about four years after was promoted to the office of Judge of Probate. He filled that position till the latter part of 1792, when he resigned it, saying that he was obliged to practice as an attorney for the support of his family, and there was danger that he might not always be able to distinguish between a *fee* to the attorney and a *bribe* to the judge. The scruple was highly creditable to his sense of official integrity. He was a member of the state Senate in 1793.

He continued in practice throughout his life, and though he was a strict economist, and very industrious, the value of the property he left at his decease is said not to have exceeded $7,000;

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a proof that the fees of an able and successful lawyer during nearly twenty years of practice must have been fixed on a very low scale.

His wife was Anna, daughter of Caleb Kenrick of Newton, Massachusetts. They were married in 1762, and had three sons and six daughters. Of the sons two were lawyers. Their daughter, Mehitable B., became the wife of Samuel Bell, afterwards a judge.

JOSIAH DANFORTH.

Son of Josiah and Sarah (Blodgett) Danforth; born, Tyngsborough, Massachusetts, January 15, 1786; Dartmouth College, 1811; practiced, Litchfield and Weare; died, Tyngsborough, Massachusetts, November 5, 1867.

Mr. Danforth prepared himself for his profession under William M. and Daniel Richardson of Groton, Massachusetts, and was admitted in 1814. He came to Litchfield for about eight months, and then to Weare in 1819. From 1821 to 1827 he was annually chosen moderator of the town meetings of Weare, and in 1823 and 1824 he was a representative in the legislature of the State. He lived in the town thirty-two years. He was considered a good lawyer, had a considerable practice, and was not infrequently engaged in the trial of causes in court, but did not possess the gift of eloquence. He was reputed to be strictly honest, and a courteous gentleman. Like many another, in and out of the profession, in his earlier days he sometimes indulged over freely in habits of conviviality, but not to such an extent as to impair his standing in the community.

In 1851 he left the State and returned to his native town of Tyngsborough in Massachusetts, and there lived to a good old age.

His wife was Mary, daughter of John Farwell of Tyngsborough, Massachusetts; and they had one son.

BENJAMIN DARLING.

Son of Daniel and Elizabeth (Leavitt) Darling; born, Sanbornton, March 8, 1788; Dartmouth College, 1811; practiced, Plymouth; died, Rumney, April 15, 1824.

Mr. Darling read law with Ezekiel Webster at Boscawen and Joseph Bell at Haverhill, and was admitted in 1815, in Grafton

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County. He entered into practice in Plymouth. He is said to have been better adapted for office work than for controversies in the courts, and also to have fallen into habits of intemperance, too prevalent at that time. He died early, being drowned in Baker's River at the age of thirty-six.

His wife was Susan Reed of Plymouth.

TIMOTHY DARLING.

Son of Hon. Joshua and Polly (Proctor) Darling; born, Henniker, December 24, 1798; Harvard College, 1822; practiced, Hillsborough, Henniker, Alton, and Loudon; died, New York State, 1871.

The number of exchanges of profession from the bar to the pulpit, in New Hampshire, has been about equal to those made in the converse direction. In the former number was that of the subject of this notice, who after leaving college studied his earlier profession with Artemas Rogers of his native town and with Samuel Hubbard of Boston, Massachusetts. Admitted an attorney in April, 1826, he began his professional life in Hillsborough, but removed to Henniker in 1827 and to Alton in 1828. He then left the State, and is said to have been awhile in Richmond, Virginia; and in Ypsilanti, Michigan. Returning to New Hampshire about 1832 he was for a year or two in Loudon, in Warsaw, New York, in 1835, and then went again to Ypsilanti, where he was clerk of the Michigan House of Representatives for a term. He came back subsequently to this State and studied for the ministry about 1839 in the Theological Seminary at Gilmanton. The remainder of his life he passed as a Presbyterian clergyman, settled in the western part of New York.

He was married.

LOAMMI DAVIDSON.

The first that we learn of Mr. Davidson is in 1810, when the bar of Rockingham County assented to his being received as a student-at-law by Daniel French of Chester. The next year he entered the Phillips Exeter Academy, being then twenty-one years of age, and claiming Dunstable as his home. He was admitted an attorney at the Court of Common Pleas for the county of Grafton at the February term, 1817, and is said to

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have taken up his residence in Wentworth in 1813. He practiced in Wentworth until about 1819, and then removed to some place in New York, near Rochester, it is understood. There he died shortly afterward.

He never did much at the law, but was more of a man of business.

His wife was Mary, daughter of Colonel Amos Tarleton of Piermont.

FREDERIC HERSEY DAVIS.

Son of Hon. Daniel and Louisa (Freeman) Davis ; born, Portland, Maine, c. 1788 ; practiced, Salem and Deerfield ; died, c. 1850.

This gentleman, a son of the well-known solicitor-general of Massachusetts, is said to have been educated in a Roman Catholic college in Baltimore, Maryland. He received the honorary degree of A. M. from Harvard College in 1811, and came to Salem in this State about 1815, as an attorney. He was admitted to the bar in Rockingham County in October, 1816. The next year he changed his residence to Deerfield and remained there two years, and then left the State.

John Kelly, the Exeter antiquary, says: "He was not worldly wise, nor very puritanical in his notions. South Deerfield was too keen for him and he made not much tarrying there."

CORNELIUS VAN NESS DEARBORN.

Son of Samuel and Fanny (Brown) Dearborn ; born, Corinth, Vermont, May 14, 1832 ; admitted, 1855 ; practiced, Francestown, Peterborough, and Nashua ; died, Nashua, April 18, 1886.

Mr. Dearborn was brought up on a farm, attending the district school. When he was fifteen he was admitted to an academy, and at seventeen he began to teach school. At the age of eighteen he resolved to become a lawyer, and began to read in the office of Rodney Lund in his native town. In 1854 he studied with Isaac W. Smith of Manchester, until the time of his admission. He practiced in Francestown from December, 1855 to 1858, when he went to Peterborough. The next seven years he lived in that town, and then removed to Nashua. An opportunity occurring for him to purchase one half of the Nashua "Telegraph" on

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favorable terms, he accepted it and became for two years editor and financial manager of that newspaper. The failure of his health then induced him to relinquish it. While a resident of Francestown he was twice chosen treasurer of the county, and in Peterborough he represented the town in 1861 and 1862 in the legislature of the State. In 1868 he was appointed register of Probate for Hillsborough County, and served till 1874. For several years he was treasurer of the Nashua and Lowell Railroad, and subsequently one of its directors. He was also a trustee of the Mechanics' Savings Bank, president of the Indian Head Insurance Company, and president of the city Board of Education.

At the time when the state banks of discount were converted into National Banks, Mr. Dearborn was one of the bank commissioners of the State, and officially superintended the operation. In March, 1866, he was appointed by the President of the United States examiner of National Banks for this State, and filled that position up to the time of his decease.

He was a quiet, unobtrusive man, of much ability, universally liked, and faithful in discharging every duty that he undertook.

He married in June, 1857, Louisa F., daughter of Moses W. Eaton of Francestown, and left two sons.

JOSIAH DEARBORN.

Son of Asahel and Elizabeth (Drake) Dearborn; born, Effingham, September 25, 1790; admitted, 1818; practiced, Effingham and Ossipee; died, Effingham, March 31, 1873.

This gentleman received a substantial academical education, supplemented by home study, and read law with Samuel Cushman of Parsonsfield, Maine, and with William Sawyer of Wakefield. On being admitted, he began practice at once in Effingham, and with the exception of a year in Ossipee, in 1833–34, made that place his home through life. He seems to have been wedded to his profession, and was quite a model of the practitioner of the old school. He was a sound common-lawyer, and possessed excellent judgment. Deliberate in his methods it took him some time to master the questions that came before him, but then he was strong and hard to beat. He kept his temper under perfect control in the contests of the court-room, and never lost the cool and complete use of all his faculties whatever unex-

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pected circumstances the course of a hearing might develop. In point of temperance, forbearance, and dignity in his family relations he was a man of exemplary habits and character.

He married, May 13, 1827, Belinda K., daughter of Hon. Samuel Quarles of Ossipee, and had four sons, one of whom, Samuel Q. Dearborn of Effingham, is of his father's profession.

NATHANIEL DEARBORN.

Son of John Sanborn and Mary (Emerson) Dearborn ; born, Chester, June 15, 1781 ; admitted, 1806 ; practiced, Pembroke, Deerfield, and Northwood ; died, Northwood, September 12, 1860.

Mr. Dearborn's father was an innholder and farmer, and gave him the advantage of instruction at Atkinson Academy, under the famous Master Vose. He then pursued the study of the law in the office of Amos Kent in Chester, and of George Sullivan in Exeter, and was admitted an attorney in Rockingham County.

He began practice at Pembroke. For a time he was quite successful in obtaining such business as is usually intrusted to young practitioners, but in a year or two a competitor, Boswell Stevens, came into the place, who secured the lion's share of the town's practice. Mr. Dearborn removed to Vermont, and subsequently to the western part of New York, where it is said he supported himself by teaching. At length he returned to New Hampshire, and after a brief further stay at Pembroke removed to Deerfield, where he continued in practice for ten or twelve years; and in 1831 settled in Northwood for the remainder of his life.

Mr. Dearborn never made a great figure in his profession. His talents and legal learning were not sufficient to command success, and his knowledge of men was not such that he could obtain it by inspiring their confidence and regard. He could not be said to be popular either with the bar or with the people. For this, however, he was evidently more unfortunate than blameworthy.

Mr. Dearborn married in early life Abigail, daughter of Captain Newman of the United States Navy, and was the father of three children.

BAILEY DENISON.

Mr. Denison is said to have been a native of Connecticut. His father was Eleazer Denison, who removed to Jefferson in this

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State, and was a selectman and town clerk of that place from 1809 to 1812. He was the agent of Colonel Joseph Whipple, a large land-owner there.

The son studied law with Samuel A. Pearson of Lancaster, and was admitted an attorney in Essex County in Vermont, in 1818, and the next year served as State's attorney for that county. He removed to Northumberland in this State about 1821, and died there in 1822, unmarried, at the age of twenty-eight years.

THOMAS DENISON.

Of this early practitioner, in the northern county of the State, little has been learned. He studied his profession with Seth Cushman of Guildhall, Vermont, and was without much question a native of that State. There he was admitted to the bar of Essex County in 1812, and was in practice in Barnet. He removed to Lancaster, his future home, in 1822, and was the first lawyer settled in the town. By the year 1835 he had withdrawn from the profession, but lived until about 1845. His age at the time of his decease was sixty or more.

JOSEPH DENNIE.

Born, Boston, Massachusetts, August 30, 1768; Harvard College, 1790; admitted, 1794; practiced, Charlestown and Walpole; died, Philadelphia, Pennsylvania, January 7, 1812.

This gentleman was more noted as a writer than as a lawyer, but he studied for the legal profession, and for more than five years practiced it, nominally at least, in this State; and here too he made those first essays in literature, which gave him a national reputation. He was rusticated from college, and degraded for some youthful misconduct, but was afterwards restored upon making acknowledgment of his fault. But he was mortified and ever after indignant at his treatment by the college authorities. Graduating in 1790, he began the study of the law with Benjamin West at Charlestown. He was said to be disinclined himself to the profession, but chose it on the urgent advice of his friends. While a student he appears to have eked out his resources by attending to "justice cases," and for a time by acting as lay reader in the Episcopal Church in Claremont.

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He was admitted to practice in the Court of Common Pleas, in March, 1794, and opened an office in Charlestown, but in the following year removed to Walpole. He found a little law business, and this, together with what he received for writing for the press, barely kept him from want. His constitution was slender, he was inclined to convivial habits, he was fond of dress, and he made no pretensions to a greater knowledge of the law than the little that he was conscious he possessed. It is said that he never appeared in any court higher than that of a justice of the peace, except in a single case. His experience on that occasion was afterwards described by his friend Royall Tyler in a very amusing newspaper sketch. He desired a continuance for his client, who was sued on a promissory note and had no defense. The presiding judge was a farmer, of good sense, probably, but of no education. Dennie addressed him in a speech full of the flowers of rhetoric, tinctured, no doubt, with the quaint legal phraseology of Plowden, of which the Court comprehended not one syllable. Roger Vose, who must have hugely enjoyed the scene, came to the rescue, and informed his Honor that what Dennie wanted was a continuance of the cause. "Why did n't he say so, then?" said the Judge, with some not very complimentary epithets on the elaborate forensic effort which had been wasted on him. Dennie retired from the temple of justice disgusted, and never set foot there again.

A newspaper called the "Farmers' Weekly Museum" had been established in Walpole about two years, when Dennie removed thither. To this paper, in 1795, he began to contribute a series of essays remarkable for their wit, their originality, and their literary merit, under the signature of the "Lay Preacher." So extraordinary was their popularity that they were copied extensively by the press throughout the country.

Dennie now felt that he had found his true vocation, and in six months' time became the editor of the "Museum." For two years he continued in charge of it, and with the aid of Royall Tyler and a brilliant staff of young writers, including Thomas G. Fessenden, David Everett, and Isaac Story, placed it as a literary periodical far above all rivals, and extended its circulation from Maine to Georgia.

Joseph T. Buckingham, who was at that time an apprentice in the printing-office of the "Museum," gives a graphic description of Dennie as he then appeared: "In person he was rather below

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than above the middle height, and was of slender frame. He was particularly attentive to his dress, which, when he appeared in the street on a pleasant day, approached the highest notch of the fashion. I remember one delightful morning in May, he came into the office dressed in a pea-green coat, white vest, nankin small-clothes, white silk stockings, and shoes, or pumps, fastened with silver buckles, which covered at least half the foot from the instep to the toe. His small-clothes were tied at the knees with ribbon of the same color, in double bows, the ends reaching down to the ankles. He had just emerged from the barber's shop. His hair in front was well loaded with pomatum, frizzled or craped, and powdered; the earlocks had undergone the same process; behind, his natural hair was augmented by the addition of a large queue (called, vulgarly, the false tail), which, enrolled in some yards of black ribbon, reached half way down his back."

Buckingham, as "printer's devil," often had occasion to call on Dennie for copy, and found him dilatory to the last degree. One of the best of his lay sermons was written in the village tavern, where he and his friends were engaged at cards, and was delivered piecemeal to the printer at the last moment.

Dennie became known also in political circles, and was supported by the Federalists for a seat in Congress, but failed of an election. The publisher of the "Museum" was unsuccessful in business, leaving his editor in arrear, and the paper passed into other hands. In 1799 Timothy Pickering gave Dennie an appointment in the State Department of the United States, with a respectable salary. Dennie performed the duties of the office for about a year.

In 1800, in company with Asbury Dickens, he began the publication in Philadelphia of the "Port Folio," a periodical devoted largely to literature and the arts, which under his editorship acquired and maintained a high character. But Dennie's convivial habits increased upon him, and at length his health gave way, and he died after a lingering illness.

Jeremiah Mason says of Dennie that he was "the most aerial, refined, and sublimated spirit" that he had ever met with. Mason was especially charmed with his brilliant conversational powers. He was unquestionably a man of genius, with many of the failings which have too often accompanied exceptional intellectual powers. He attracted a wide circle of friends; perhaps he was his own worst enemy.

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Daniel Webster asserted that no one ever did him more good than Joe Dennie. Some of Websters' early productions were reviewed by Dennie in the "Farmers' Museum." "He declared them full of emptiness, and it did me good," was Webster's frank admission.

Rev. Dr. Andrew P. Peabody rated Dennie as belonging to the first rank of our earlier American writers, and compared the "Lay Preacher" to the sermons of Sydney Smith.

ARTHUR LITHGOW DEVENS.

Son of Charles and Mary (Lithgow) Devens; born, Charlestown, Massachusetts, April 27, 1821; Harvard College, 1840; admitted, 1842; practiced, Walpole; died, Boston, Massachusetts, July 22, 1867.

Mr. Devens was fitted for college at the academy in Framingham, Massachusetts, and under a private tutor. He studied his profession with William C. Aylwin of Boston, Massachusetts, with Henry Hubbard of Charlestown, and at the Harvard Law School where he was graduated LL. B. in 1843. His practice began in Walpole in 1843, and continued three years, at the end of which he removed to Northfield, Massachusetts. In about two years he went to Ware in the same State, where in 1849 he accepted the position of agent of the Otis Manufacturing Company. A few years later he proceeded to Boston and there became treasurer of the Hamilton and Appleton Manufacturing companies of Lowell, Massachusetts. He did not afterwards resume the practice of his profession.

From Ware he was sent as representative to the General Court of Massachusetts in 1848. He was a bright and keen man, an agreeable speaker, tried his cases well, and had the reputation of a high-minded, able young lawyer. The few cases he argued in the higher law tribunals are said to have shown a vigorous legal intellect. He is described as a singularly attractive man in private, witty and bright in conversation, and generous in temperament. He was a brother of Charles Devens, Attorney-General of the United States.

He married Agnes Howard White of Watertown, Massachusetts, July 20, 1852, and was the father of four children.

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DAVID DICKEY.

Son of Hanover and Lydia (Osgood) Dickey; born, Epsom, October 5, 1806; Dartmouth College, 1835; practiced, Newport and Haverhill; died, Lowell, Massachusetts, October 30, 1877.

Mr. Dickey was of Scotch-Irish ancestry, and the earliest college graduate from Epsom. He was three years preceptor of the academy in Hopkinton, all the while improving his spare hours in the study of the law. He finished his legal preparation in the office of Albert Baker of Hillsborough, and in that of Richard Fletcher of Boston, Massachusetts.

In 1840 he commenced practice in Newport, and two years later removed to Haverhill, to take the business of David Collins, whose health had given way. His practice became extensive, and he made considerable purchases of real estate, and at length was involved in lawsuits of his own. He was an able man, but apparently not so ambitious for distinction in his own profession as for carrying on large business operations, with a view to pecuniary profit.

In 1858 he gave up the practice of law and removed to Tewksbury, Massachusetts, where he remained till 1874, and then took up his final residence in Lowell, Massachusetts.

On December 25, 1849, he was married to Lois Leverett, daughter of John Nelson of Haverhill. They had nine children.

DAVID WOODBURN DICKEY.

Son of Robert and Hannah (Woodburn) Dickey; born, Londonderry, December 25, 1792; Dartmouth College, 1818; admitted, 1821; practiced, Londonderry and Salem; died, Salem, January 26, 1837.

Mr. Dickey, a descendant of some of the earliest families of Londonderry, was probably prepared for college at the Pinkerton Academy in that place. He read law in the office of John Porter, and entered into practice in 1821, in that part of the town which is now Derry. In 1831 he removed to the adjoining town of Salem. He is understood to have been a man of respectable abilities, though he never took a specially prominent position. He deceased at the early age of forty-four years.

His wife was Mary Davis of Haverhill, Massachusetts.

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DANIEL STARK DINSMOOR.

Born, Laconia, September 23, 1837; admitted, 1864; practiced, Laconia; died there, March 24, 1883.

Mr. Dinsmoor inherited on his mother's side the blood of General John Stark. He was fitted for college at the Institute in New London, in the class of 1860, and then prepared himself for the bar under George W. Stevens and O. A. J. Vaughan of Laconia. He opened his office in Laconia in 1864, and a year afterwards he was chosen cashier of the Laconia National Bank, then just organized. From that time he practically relinquished the practice of law.

He was register of Probate from 1871 to 1878; representative in the legislature in 1875; a member of the governor's military staff in 1875 and 1876; and also county treasurer. At the time of his decease he was state senator elect from the fifth district. The surviving members of that body adopted resolutions on the occasion of his death, in which they described him as an "able and upright gentleman, a faithful and respected citizen, and a generous and just man."

He was married in 1865 to Amelia M., daughter of Hon. Amos Whittemore of Bennington.

SAMUEL DINSMOOR.

Son of William and Elizabeth (Cochran) Dinsmoor; born, Londonderry, now Windham, July 1, 1766; Dartmouth College, 1789; practiced, Keene; died, Keene, March 15, 1835.

Samuel Dinsmoor, until he was seventeen, assisted his father in carrying on his farm. He then proposed to his father to furnish him help to enable him to fit for and work his way through college, promising him that he would call upon him for nothing further. His father consented, and young Dinsmoor pursued his studies under the tuition of Rev. Simon Williams, taking for the purpose a daily walk of eight miles. In 1785 he entered college, having traveled thither in a cart drawn by oxen, and by a circuitous course, as there was no pretense of a direct road from Londonderry to Hanover. He maintained himself while in college by teaching school in the winter months, and by keeping a store for the sale of merchandise.

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He was employed after his graduation in instruction for two or three years, and then began the study of the law under Peleg Sprague at Keene, who became much interested in the energetic young fellow. In 1795 Mr. Dinsmoor was admitted to practice in the Court of Common Pleas, settled in Keene, and at once began to gather in business.

He was forward in the organization of the Keene Light Infantry, a military company of much repute in the old militia days, and became its commander; from which post he rose through various grades to be a major-general.

In 1808 he was appointed postmaster of the town, and in 1811 he was chosen to the Congress of the United States. In 1812 he voted with the majority of the representatives in favor of the war with England. The election of 1813 restored the Federal party to power in the State, and Mr. Dinsmoor was not returned to Congress. He afterwards received the appointment of collector of the direct tax. In 1821 he was chosen a member of the executive council, and in 1823 was the regular candidate of his party for the office of governor of the State. Levi Woodbury, however, a popular member of the same party, was a third candidate, and there being no choice by the people, secured the election by the legislature.

The new governor the same year appointed Mr. Dinsmoor Judge of Probate for the county of Cheshire. In 1830 Judge Dinsmoor was again nominated for the governorship, and was elected in 1831, and reëlected in each of the two succeeding years.

In 1833, upon the organization of the Ashuelot Bank, Governor Dinsmoor was chosen its president, and so continued during the remainder of his life. He was a prudent, careful lawyer, not gifted with the eloquence which captivates juries, but honest and reliable. He began practice at a time when everybody ran in debt, and nearly everybody got sued in consequence. His justice docket is said to have shown the issue of a thousand writs, in a single year. He was gentlemanly, and had something of the old school in his manners, but was easy, unassuming, and generally liked. He is said to have had no particular fancy for public life, but it suited the leaders of his party to put forward a gentleman of education and standing for office, and he allowed his name to be used. His administration of the affairs of the State was marked by honesty, discretion, and ability.

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He married in early life Mary Boyd, daughter of General George Reid of Londonderry, who bore him four children, and died two months before him. Their oldest child was a lawyer, and also governor of the State.

SAMUEL DINSMOOR, JR., LL. D.

Son of Governor Samuel and Mary B. (Reid) Dinsmoor; born, Keene, May 8, 1799; Dartmouth College, 1814; practiced, Keene; died there, February 24, 1869.

The younger Dinsmoor was a precocious boy, and was said to have completed the preparatory studies then required for admission to college when he was only ten years of age. His father allowed him to enter at eleven, placing him under the special charge of Professor Shurtleff. The latter gave him as a chum a heavy, steady-going student of thirty. The youthful freshman had then much of the sportive humor that distinguished him in after life; and on being asked how he liked his room-mate, replied: "Well, in every respect, but one. He says his prayers at night, 'Now I lay me down to sleep,' etc., which is all very proper; but in the morning he says the same; now I don't think *that* prayer appropriate for *morning!*"

He read law with his father, and was admitted to the bar in 1818. The next year he accompanied Colonel James Miller, who had been appointed governor of Arkansas, to that territory; but returned to Keene, and entered into practice about three years after. His popular manners and beautiful handwriting led to his election to the clerkship of the state Senate in 1826 and 1827, and again in 1829 and 1830. In 1828 he was chosen to go to France to look after the property of an uncle who had deceased abroad. He thus gained an opportunity to see foreign countries, and to acquire the French language, then a much less common accomplishment than it is to-day.

In 1833 he was appointed cashier of the Ashuelot Savings Bank, of which his father was president. This position he filled till his father's decease in 1835, when he was chosen to the vacant presidency.

In 1849 he was elected governor of the State, and again in 1850. He then declined to be considered a candidate for reëlection, but circumstances induced him to reconsider his determina-

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tion, and he was chosen for the third time. His administration was clean, and in all ways eminently respectable.

Governor Dinsmoor's abilities and acquirements would unquestionably have enabled him to take a high position at the bar, had he applied himself assiduously to his profession. But his circumstances did not compel him to buckle down to hard work, he had no fondness for the contests of the courts, and quite willingly gave up the law for banking. He inherited a large property, and much of his time in later life was given to the care of it. He is described as "possessing superior education, affable manners, and a dignified deportment." His disposition was genial, and his social qualities were eminent. He had through life the respect of the community, and the warm regards of those who knew him best. Dartmouth College conferred upon him the honorary degree of Doctor of Laws in 1851.

He married, September 11, 1844, Ann Eliza, daughter of Hon. William Jarvis of Weathersfield, Vermont, by whom he had two children. After her death he married in May, 1853, Catherine Abbott (Pickman), daughter of Hon. Daniel Abbott of Nashua, and widow of Charles J. Fox.

OLIVER A. DODGE.

Son of Hon. George H. and Mary Dodge; born, Hampton Falls, November 17, 1838; practiced, Dover; died there, April 21, 1891.

Mr. Dodge was a resident of Georgia when the Southern Rebellion broke out, and was probably driven into the ranks of the Confederate army, but is said to have afterwards voluntarily borne arms for the Union. After the war was over he returned to the North, and studied law with his brother, William H. Dodge, then an attorney in Dover; and on being admitted, became his partner in practice.

On account of certain irregularities for which his brother was chiefly responsible, they were both expelled from the bar, but he was soon after restored again, on a re-hearing. He returned to practice, with the good-will of his legal brethren, and it is said that no one conducted his business more honorably than he thereafter. He was a man of excellent powers of mind, and acquired a good practice and a creditable standing in society.

He left a widow.

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PERLEY DODGE.

Son of William and Rachel (Poland) Dodge ; born, New Boston, May 17, 1799 ; Union College, 1824 ; admitted, 1828 ; practiced, Francestown, New Boston, and Amherst ; died, Amherst, March 31, 1888.

Mr. Dodge was fitted for college at the Francestown and Pinkerton academies, and under the instruction of Rev. E. P. Bradford, and entered Dartmouth College in 1820. After partially completing the course in that institution, he migrated to Union College, from which he took his bachelor's degree. He was preceptor of the Francestown Academy for a year or more, and then pursued the study of the law with Titus Brown of Francestown, and with Nehemiah Eastman of Farmington. He began practice as a partner of Mr. Brown at Francestown, but in 1829 removed to New Boston, and in March, 1832, to Amherst. He remained in practice over half a century, and attended every term of the court held in Hillsborough County during that period. In 1839 he was appointed clerk of the courts, and served as such for eighteen years, diligently and satisfactorily. In 1837, 1853, and 1854, he represented Amherst in the legislature. For the thirty-four years prior to his death he was a trustee of the Nashua Savings Bank. He was repeatedly moderator of the town meetings, and chairman of committees appointed to promote the interests of his townsmen.

Though not distinguished as an advocate, he was known as a prudent, accurate lawyer, averse to needless controversy, and was trusted implicitly by his clients. His faithfulness and honor were above suspicion. His courtesy and social disposition made him welcome in every company ; his chief enjoyment was in his family and his home.

He married in 1831 Harriet, daughter of Peter Woodbury of Francestown, and thus became brother-in-law of Levi Woodbury of Portsmouth, of Nehemiah Eastman of Farmington, and of Isaac O. Barnes of Barnstead. He was the father of two sons and one daughter.

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JOHN PHILBRICK DOE.

Son of Jeremiah and Dolly (Norris) Doe; born, Pembroke, February 20, 1805; Dartmouth College, 1825; practiced, Loudon; died, Pembroke, January 29, 1829.

The record of this lawyer is a very brief one. He studied law with Boswell Stevens of Pembroke, and was received into the profession but a few short months before his early decease. He opened an office in Loudon, but could have done little more. He was unmarried.

JOSEPH EMERSON DOW.

Son of Hon. Moses and Phebe (Emerson) Dow; born, Haverhill, December 28, 1777; Dartmouth College, 1799; admitted, 1802; practiced, Littleton, Franconia, and Thornton; died, Franconia, August 24, 1857.

Mr. Dow studied law with his father, and for four or five years "held himself out" as a practitioner in Haverhill. In 1807 he became the earliest lawyer in Littleton. One of the wits of the bar illustrated his legal qualifications by the statement that "on his examination he answered *one* question aright. He was asked what was the highest title to real property, and replied that "he did n't know!" Apparently he kept no place of business, for it was the saying of the time that "he carried his office in his hat."

In Littleton, as in other places where he lived afterwards, he gained the good-will of the people, indicated by his frequent selection for town offices. He was a member of the school committee of Littleton, with the village minister and doctor. In some doggerel rhymes, the production of a mischievous pupil, the committee are described as —

> old bald head,
> And wooden leg,
> And popple-headed Dow.

After spending four years in Littleton he moved to Franconia, and there lived till 1830. Eleven years he was a selectman there, and six years town clerk; often moderator, and one of the school committee. He did little or nothing at the law, but was frequently engaged as a school-teacher, and for a number of years was employed by the Franconia Iron Company as a carpenter or joiner.

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In 1830 he transferred his residence to Thornton. There he was repeatedly chosen moderator and town clerk, and held the appointment of postmaster a considerable time.

He went back to Franconia in 1847, and made that town his home through the rest of his life.

Mr. Dow is described as a good scholar and agreeable in conversation. The handsome dowry said to have been brought him by his first wife was perhaps no stimulant to his industry. He accomplished little in his profession. In his later years he fell into very narrow circumstances, and his second wife, a woman of extreme energy, is said to have defended him from the sheriff by saluting the latter with a copious external application of hot water.

He married in early life Abigail Crawford, daughter of Hon. Jonathan Arnold of Rhode Island. The issue of the marriage was a daughter and four sons. After her decease he was united to Nancy Bagley of Thornton.

MOSES DOW.

Son of John Dow ; born, Atkinson, c. 1746 ; Harvard College, 1769 ; practiced, Plymouth and Haverhill ; died, Haverhill, March 31, 1811.

Little is discoverable of the early history of Mr. Dow, except that he obtained his education by his own exertions. He graduated from Harvard College, studied law, and is understood to have made his début in the profession in Haverhill, Massachusetts, where he became a member of the Fire Society in January, 1773. He must have come into New Hampshire early in the year 1774. Toward the middle of that year he was a resident of Plymouth, and is believed to have practiced his profession there about five years. He was commissioned by the royal governor, register of Probate for the county of Grafton, and continued by subsequent appointments in that office during the term of thirty-four years. As the breach widened betwixt the mother country and the colonies, he took sides heartily with the latter, and in 1775 represented Plymouth and Rumney in the provincial Assembly. In 1776 he acted as the agent of Plymouth to receive arms and ammunition from the State for that town.

In 1781 and 1782 he was a representative from Haverhill in the state legislature, and again in 1790 and 1793. He was a

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member of the state Senate in 1784 and in 1791, in which latter year he was chosen president of that body. He was also a councilor in 1785 and 1786.

Mr. Dow was the earliest permanently settled lawyer in his county. At the April term of the Court of Sessions, 1774, he was selected by the Court to act as the King's attorney; and again at the April term, 1775. At the June term of the Court of Common Pleas, 1774, he entered five actions; at the August term, 1782, fifteen out of the whole number of twenty-one. For many years his practice must have been extensive. In 1808 he was commissioned Justice of the Court of Common Pleas for Grafton County, and continued in the performance of his duties till his death. He was also an officer of the state militia for several years, holding the commissions of brigadier and major-general.

General Dow was emphatically the man for the time and the situation. With excellent education and abilities, enterprise and sagacity, he was ready to turn his hand to any useful service, from laying out a turnpike to keeping the records of the court. For years he carried on his broad shoulders a good share of the burdens and responsibilities of the frontier settlement, and did it so modestly that he won and kept the liking and confidence of all who knew him.

The position of delegate to the Continental Congress was tendered him in 1784, but he declined it.

General Dow is said to have been addicted to religious disputations. He was one of the earliest to protest against the taxation of all citizens of whatever religious belief, or of none, to support the preaching of the one favored religious denomination.

From Dartmouth College he received the honorary degree of Master of Arts in 1785.

His wife was Phebe Emerson, and their family consisted of two daughters and two sons, who both studied their father's profession.

MOSES DOW, JR.

Son of General Moses and Phebe (Emerson) Dow; born, Haverhill, c. 1776; admitted, 1799; practiced, Haverhill; died there, c. 1840.

This, the eldest son of General Moses Dow, in due time became a student in his law office, and a practitioner in Haverhill in 1800. He was postmaster a number of years, and register of

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Probate from 1808 to 1838. He is said to have possessed little force of character, and had small law practice. His office was in a building with a country store. He is remembered chiefly by a remark made of him by George Sullivan, counsel for the defendant in the breach of promise case of his sister, Mary Dow, against Joseph Bell, in which he testified as a witness. "Dow appears pretty well," said the advocate, "and generally has on a ruffled shirt, but it is n't always clean."

ALLEN PRATT DUDLEY.

Son of Moses and Persis (Pratt) Dudley; born, Chesterfield, December 16, 1819; admitted, c. 1841; practiced, Winchester, Nashua, and Chesterfield; died, San Francisco, California.

Mr. Dudley probably qualified himself for his profession in Vermont, and commenced practice in 1841 in Bethel, in that State. Two years after he removed to Winchester, in 1844 to Nashua, and about 1851 to Chesterfield. From Chesterfield, in 1855, he emigrated to San Francisco, California, where he practiced his profession till his death, some time after 1882.

He is represented as having decided ability, but as wanting somewhat in "staying power."

He married, November 16, 1841, Mary S. Wheelock of Swanzey, and had eight children.

ASA DUNBAR.

Born, Bridgewater, Massachusetts, 1745; Harvard College, 1767; practiced, Keene; died there, June 22, 1787.

Mr. Dunbar studied for the pulpit, preached awhile at Bedford, near Concord, Massachusetts, beginning in 1769; and was settled as a colleague with the Rev. Thomas Barnard over the first church in Salem, Massachusetts, July 22, 1772. He gave great satisfaction to his parish, and was regarded as a preacher of superior excellence, but after a few years his health declined, and he was dismissed at his own request, April 29, 1779.

He afterwards determined to change his profession, and prepared himself in the office of Joshua Atherton of Amherst for the practice of the law. About the close of the Revolutionary

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war he removed to Keene, and was admitted to practice probably early in 1783. He soon rose to prominence. He acquired a good share of business and much popularity. The same powers which had given him his standing as a preacher enabled him to excel as an advocate. The only lawyers of Cheshire County when he was admitted were Simeon Olcott and Benjamin West of Charlestown, and Daniel Newcomb of Keene. These were all men of learning and ability, but Mr. Dunbar was probably fully their equal in everything but professional experience.

He was much devoted to the institution of Freemasonry, and delivered an address before Trinity Lodge of Masons at Worcester, Massachusetts, June 25, 1781. He held the office of master of the lodge at Keene up to the time of his decease, and was buried with Masonic honors. The contemporaneous newspaper account of his death states that "he was esteemed by his acquaintance as an instructive, easy, and agreeable companion; he was honorable in his practice, attentive to his business, candid in his professions, and zealous in the cause of virtue and religion."

His wife, Mary, a sister of Daniel Jones of Hinsdale, survived her husband several years. He left also five children.

ELIJAH DUNBAR.

Son of Samuel and Mary (Snow) Dunbar; born, Bridgewater; Massachusetts, April 23, 1759; Dartmouth College, 1783; practiced, Keene and Claremont; died, Keene, May 18, 1847.

Mr. Dunbar was a student of the law in the office of his uncle Asa Dunbar of Keene. There he entered into practice, and permanently resided, with the exception of seven years, from 1797 to 1804, when he was at Claremont.

He was chosen representative in the legislature from Keene in 1806, 1808, and 1810. Joel Parker became for a while a partner in his office, and was the active manager of the business. Mr. Dunbar did not attend the courts much after that time, but was employed somewhat in justice matters. General James Wilson, Jr., who remembered him as he was at this period, said: "He was not much of a practicing lawyer, within my recollection. He was fond of amusement. He used to go trout fishing a good deal, and *I used to go with him.*"

His wife was Mary, daughter of Alexander Ralston of Keene. They had six children, two of whom survived their father.

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WILLIAM HENRY DUNCAN.

Son of William and Mary (McMurphy) Duncan ; born, Candia, September 26, 1807 ; Dartmouth College, 1830 ; practiced, Haverhill and Hanover ; died, Hanover, March 29, 1883.

Mr. Duncan was of Scotch-Irish descent, and prided himself upon it, not a little. His father kept a country store, and was in easy circumstances. The son had a taste for study, and completed his preparatory course at Phillips Exeter Academy. He graduated from college with the honor of the valedictory address, which was assigned to him, one of the three best scholars of his class, it is said on account of his graceful manner and oratorical powers. He was also selected to deliver the Master's oration three years later.

He chose the law for his profession, on which, or some other account, his father refused to do anything further for his support, and he was compelled to resort to teaching. He pursued that occupation in Charleston, South Carolina, for about four years, at the same time studying law under the direction of Benjamin F. Dunkin, and there was called to the bar. Returning to New Hampshire, he began to practice at Haverhill, but in a little time was induced by the failing health of his father-in-law, Mills Olcott, who required his aid to manage his extensive concerns, to settle in Hanover. There he passed the residue of his life. His practice at one period was somewhat extensive, but as his wife's delicate health rendered it necessary for him to accompany her every winter for many years to Florida, his law business naturally fell off, and towards the close of his life occupied but little of his time. Still he loved his profession, and as long as his health and strength permitted, attended the sessions of the courts. He was well versed in the learning of the law, but he had no relish for the rude contests of the country forum. He had a certain fastidious taste that held him aloof from all that was ostentatious, aggressive, or discourteous. Hence his practice in court was necessarily limited. But on those rare occasions when he was called on to make a public address, he charmed all his hearers by his captivating manner, his fitly chosen language, and the dignity and appropriateness of his sentiments. On one occasion when he was a member of the legislature, a speech that he made attracted so

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much attention and commendation, that it was quite in his power to have made it a stepping-stone to political prominence, if he had wished. But he had no taste for political strife.

In private life Mr. Duncan was most estimable: a good citizen, a model husband, a true friend, and a delightful companion. He had enjoyed the advantages of the most cultivated society, and the friendship of many able and distinguished men. His manners were courtly, and based upon a kindly heart. He conversed with fluency and elegance, and his memory was stored with an abundance of anecdotes, which he related with admirable zest and point. The lack of ambition, the easy pecuniary circumstances which his marriage brought him, as well as his dislike for publicity and contention, prevented him from exerting his best powers in his profession or in letters. He was content with being a scholar and a gentleman.

In 1851 he was made a lonely man by the death of his childless wife. After that he became almost a recluse in his chambers in a public block in Hanover. For the last year or two of his life his health was very feeble. His death was deeply regretted by those who best knew his amiable qualities and the trials he had undergone.

His marriage with Sarah M. Olcott was solemnized at Hanover, June 25, 1834.

DANIEL MESERVE DURELL.

Son of Nicholas and Abigail (Meserve) Durell ; born, Lee, July 20, 1769 ; Dartmouth College, 1794 ; practiced, Dover ; died there, April 29, 1841.

Mr. Durell acquired his professional training in the office of Henry Mellen of Dover, and in that town commenced practice in August, 1797. In 1807 he was elected a representative in Congress, and served one term. He was a member of the state legislature in 1816 when a new arrangement of the courts was provided for, and he received the appointment of Chief Justice of the District Court of Common Pleas. He held it until 1821, as long as that court endured, and then went back to his practice. In 1830 he was made United States attorney for the district of New Hampshire, and remained in the office during one administration.

Judge Durell was a man of superior abilities and of good professional attainments. He did not enjoy popularity among the

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common people, who considered him too much of an aristocrat. He was nice in his dress, and rather cold and distant in his manners. In his dealings he was what is called a "close calculator," and at his death left quite a large estate.

He was married, June 1, 1800, to Elizabeth, daughter of John Wentworth, Jr., of Dover. They had several children.

JOHN SAMUEL HAYES DURELL.

Son of John S. and Elizabeth (Hayes) Durell; born, Dover, September 24, 1798; Union College, 1819; admitted, 1822; practiced, Dover; died there, September 25, 1862.

Mr. Durell was a nephew of Judge Daniel M. Durell. He had his preparation for college at the Phillips Exeter Academy, and entered the Dartmouth University, but after the downfall of that institution finished his course at Union College. His connection with the bar was not a long one. He began to practice in Dover in 1822, but was not dependent upon his profession, nor, apparently, was he greatly enamored of it. About 1825 he sold out to Thomas E. Sawyer, and departed to New Orleans, Louisiana, where he went into business as a commission merchant. He never practiced law again. After some years he returned to Dover, and finished his life there.

He married in November, 1845, Clarissa D., daughter of Andrew Wentworth of Somersworth. They had no children.

CHARLES AUGUSTUS DURGIN.

Son of Jesse and Clarissa (Dwight) Durgin; born, Concord, November 10, 1826; admitted, 1862; practiced, Andover; died there, August 10, 1876.

Mr. Durgin was educated in the schools of Concord, Hopkinton, and Andover, and began life as a machinist, in Lowell, Massachusetts. For a number of years he was a manufacturer of sewing-machines, but having lost nearly everything by fire, he decided to try his fortune elsewhere. He went to the city of New York, and being of an ingenious turn, had faith that he might succeed as a patent lawyer. He studied in the law department of the University of New York, and was admitted to the bar in 1862. He had not overestimated his ability, and for fourteen years practiced his profession there in patent cases with great success. He

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expended much money in fitting up a place at (East) Andover, where he hoped to enjoy many years of life, and removed there, but only to die. By those who knew him he was much respected for his ability and his manly character.

He married Placentia W. Crawford of Pelham, November 20, 1855, and left three children.

DANIEL DWIGHT.

Son of Justus and Sarah (Lamb) Dwight; born, Belchertown, Massachusetts, September 7, 1775; Dartmouth College, 1797; practiced, Westmoreland; died, Cincinnati, Ohio, November 5, 1851.

Mr. Dwight was admitted a counselor of the Superior Court in Cheshire County in May, 1803, having probably already been in practice two years as an attorney of the Common Pleas in Westmoreland. He lived in that place a quarter of a century, and the estimation in which he was held by his fellow-citizens is shown by their election of him to various offices in the town, such as moderator, and representative to the General Court. He was representative in 1816 and 1817.

At the age of fifty he decided to try a new and distant locality, and removed to Jacksonville, Illinois. He lived there more than twenty-five years, and died, it is supposed, while on a journey into Ohio.

He married Mary Dickinson, daughter of General Ebenezer Mattoon, at Amherst, Massachusetts, December 24, 1807.

GEORGE NEHEMIAH EASTMAN.

Son of Hon. Nehemiah and Anstris (Woodbury) Eastman; born, Farmington, January 24, 1820; Dartmouth College, 1839; admitted, 1842; practiced, Farmington; died there, April 28, 1892.

Mr. Eastman was prepared for college at the Phillips Exeter Academy. He studied law with his father in Farmington, and as long as the latter lived was associated with him in practice. His home was in Farmington, and he died in the house in which he was born.

He was chosen school committee and acted as such several years; he was a representative in the legislature in 1854 and 1858, and a delegate to the Constitutional Convention in 1876.

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He was also vice-president of the savings bank, an officer in the Masonic institution and in the religious society of his town, and many years was president of the bar association of Strafford County.

He was a studiously careful and conscientious lawyer. Though of modest disposition, he was firm and unyielding in his contention for the rights of those whom he represented.

He was a man of sterling qualities, personally as well as professionally. His even temper, kindly manners, his helpfulness and hospitality, will not soon be forgotten by the people among whom his life was passed.

His wife was Ellen F. Gilman of Laconia. They had no children.

JOEL EASTMAN.

Son of Joel and Betsey (Pettengill) Eastman ; born, Salisbury, February 22, 1798 ; Dartmouth College, 1824 ; practiced, Conway ; died there, March 16, 1884.

This sturdy son of fruitful Salisbury was trained for college at her academy, and studied law with her preceptor and counselor, Samuel I. Wells, and with William C. Thompson at Plymouth. In 1827 he began to practice in Conway. In 1832 he was married, and his wife a few years later became hopelessly insane, and lived in that condition to old age. It was a great grief to him, and for a time almost unmanned him. But he was made of stern stuff, and devoted himself resolutely to his profession, and to the work of the political campaign then pending. He was a delegate to the national convention which nominated General Harrison for the presidency, and did yeoman service for the candidate of his choice in New England. He made numerous political addresses, and his imposing physique, his sonorous voice, and his eloquent periods combined to gain him a high reputation as a platform speaker of effectiveness.

He did not abandon his profession in the hope of the illusory rewards of political life. He made the law his dependence. Never a great student of books, he had mastered the main principles of the law, and had a natural sense of justice which usually guided him to correct conclusions. If not technical, he was commonly right. Direct and sensible, he was a wise adviser, and he was as true to his client as the needle to the pole.

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It was, however, his power as an advocate that gave him his chief celebrity. Although the terms of the higher court came seldom, yet there were plenty of hearings of minor degree that gave opportunity for counsel to air their eloquence, and whenever Mr. Eastman was to speak, he was sure of an audience. He entered with his whole soul into a trial. He made the cause his own, in every sense. His zeal sometimes carried him even into a physical encounter with the adverse counsel, in which he was pretty sure to get the best of it.

But it would be doing him injustice to represent him as a mere fighting lawyer. He knew men, their prejudices, and their manner of looking at questions in dispute, and could appeal with singular skill to their feelings and their judgment. The sincerity of his own convictions shaped and pointed the arguments he impressed with convincing force upon his auditors. His eloquence was natural, springing directly from the heart, impetuous as a torrent, and sweeping away all cavil and objections. There was sometimes an adroitness in his manner of presenting his subjects that was inimitable. He was once employed to defend the occupant of a burnt building, charged by the owner with setting it on fire. There was really some reason to suspect the owner of the offense, but not quite enough to accuse him directly. Mr. Eastman opened his defense thus: "Gentlemen of the jury: My client stands charged with the crime of burning a building. But it is one thing to *make* a charge, and another thing to *prove* it. I might, for example, charge Deacon Jones, or *the owner of the building* in question, with burning it — not that I wish to be understood that *Deacon Jones* would be guilty of such an act!" The implication could not have failed to penetrate the densest understanding.

If one had need of an adviser familiar with the niceties of the law, he would hardly have applied to Mr. Eastman. But if he wanted a straight-forward, strong counselor, able to brush aside all sophistries, and measure the real merits of his case, and to defend them loyally and ably, Mr. Eastman was his man. For long years, in the hilly regions of old Strafford County he was a popular hero, his name was one to conjure by, and men were never tired of telling of the "powerful pleas" that he made.

His political life was a disappointment. He was district attorney of the United States for New Hampshire, from 1841 to 1845;

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a member of the legislature about half a dozen years; a delegate in the Constitutional Convention of 1850, and Judge of Probate from 1856 to 1868. He was supported by his party in the legislature for United States senator, and twice received a nomination for Congress, but in each case failed of election. This undoubtedly caused him no little pain and annoyance at the time, but he afterwards came to regard it as fortunate, in view of the many trials and the few real satisfactions of congressional life.

Judge Eastman kept his bodily and mental vigor to a great age. It was a characteristic of the race from which he sprang. His mother, who died in 1867, lived to the age of one hundred and five years and nine months, and preserved her faculties to the last.[1] As her son was about parting with her some time before her death, he said: "Good-by, mother; I may never see you again." She instantly replied, "What! Joel, *you* are not going to die, are you?"

He married in December, 1832, Ruth Gerrish, daughter of Hon. Richard Odell of Conway. She bore him one child who died in infancy.

MOSES EASTMAN.

Son of Edward and Anna (Judkins) Eastman; born, Salisbury, August 1, 1770; Dartmouth College, 1794; admitted, 1797; practiced, Salisbury; died, Waltham, Massachusetts, April 19, 1848.

Mr. Eastman first saw the light in a town which has produced many men of mark, with some of whom he was connected. He was an uncle of Joel Eastman of Conway, was of kin to Daniel Webster, and married a sister of Ichabod Bartlett of Portsmouth. He studied law with Thomas W. Thompson of Salisbury, and commenced practice in his native town in 1797. He was postmaster from 1801 for a quarter of a century; in 1816 he was made clerk of the Court of Common Pleas for the old county of

[1] Mrs. Eastman was a little girl of six when the unfortunate Ruth Blay was executed at Portsmouth for concealing the death of her illegitimate child. Mrs. Eastman was a pupil of Ruth Blay, and was the first to discover the body of the child hidden beneath the school-room. She naturally told her mother what she had seen, which led to the trial and condemnation of the poor schoolmistress. Popular sympathy was strongly on the side of the convicted woman, and Mrs. Eastman often said that she was sorry that she had ever given information of the discovery she made.

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Hillsborough, and soon afterwards, assistant clerk of the Superior Court. In 1823, on the organization of Merrimac County, he became clerk of the Superior Court, and afterwards clerk of the Court of Common Pleas for that county.

In 1826 Mr. Eastman removed to Concord, but after eight years there, resumed his residence in Salisbury, until 1847, when he changed his abode to Waltham, Massachusetts, at the age of seventy-seven, probably to be near some of his children.

He was a good clerk, but was not particularly successful as a lawyer. Though honest, and with the best intentions, he is said to have lacked knowledge of men and of common affairs. Moreover, he was excitable, and liable to be carried away by any sudden gust of feeling. In hearings before a justice, for example, he would get into a frenzy and lose his self-control completely. It was probably this weakness that stood in the way of his employment in contested suits, and his own consciousness of it that led him to obtain the assistance of other counsel in all his cases which were to be heard in the higher tribunals.

The first wife of Mr. Eastman was Susan, daughter of Dr. Joseph Bartlett of Salisbury; his second was Eliza Sweetser, whom he married in 1807.

He had eleven children, most of them by his second wife.

NEHEMIAH EASTMAN.

Son of Ebenezer and Mary (Butler) Eastman; born, Gilmanton, June 16, 1782; admitted, 1807; practiced, Farmington; died there, January 19, 1856.

Mr. Eastman was a student in the academy at Gilmanton until he reached the age of nearly twenty, and then entered upon his term of legal study, four years with Stephen Moody of his native town, and one year with John C. Chamberlain of Charlestown. In 1807 he commenced practice in Farmington, and was a careful, prudent, diligent lawyer. It was his habit to be in his office as early as any one was stirring, often by four o'clock in the morning, and to remain until ten o'clock in the evening, — a day's work that in point of length would put to shame the laborers of the present generation, professional or mechanical, the latter especially. By such industry and application he secured a large clientage.

His abilities were good, though not brilliant, his law knowledge

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sufficient and at command, and he accomplished in his long practice a prodigious amount of business, not indeed of the character to captivate the eye of the public, but of the kind which buttresses and facilitates the every-day transactions of men. He rarely engaged in jury trials without an associate. With his brethren of the bar and with the public his standing was alike good.

In middle life Mr. Eastman was actively concerned in political affairs, and was a warm partisan of Levi Woodbury whose sister he married. He represented Farmington in the legislature of 1813; was a state senator in 1820 and the four following years; and was a representative in Congress from 1825 to 1827.

He married Anstris B., daughter of Hon. Peter Woodbury of Francestown, October 24, 1812. George N. Eastman, his successor in practice in Farmington, was their son.

ROYAL EASTMAN.

Son of Richard and Elmira (Morrill) Eastman; born, Falmouth, Maine, June 27, 1816; admitted, 1844; practiced, Somersworth; died there, February 2, 1874.

Mr. Eastman was of Quaker parentage, and was educated at the Friends' School, Providence, Rhode Island. After arriving at man's estate, he was engaged for a time in teaching, and then turned his attention to the law. He was in the office of Nathaniel Wells of Somersworth from 1842 to 1844, having previously studied in Maine, it is supposed. He entered into practice in Great Falls Village, in company with Winthrop A. Marston.

Mr. Eastman was a pleasant companion, a man of integrity, and a sagacious lawyer. He was of rather too retiring and self-distrustful a nature to take the brunt of the battle in a resort to litigation. As junior counsel, to prepare causes, marshal authorities, and see that everything was in instant readiness, he was invaluable. His practice was a considerable one, and he was retained in not a few important causes.

He received the appointment of postmaster of Great Falls in 1870, and retained it as long as he lived. For many years he held the office of superintendent of schools, and of the public library.

He married, February 23, 1858, Harriet S., daughter of Dr.

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Richard Russell of Somersworth. They had three children, one son and two daughters.

EPHRAIM EATON.

Son of Henry and Hannah (Eaton) Eaton; born, Candia, September 13, 1808; Dartmouth College, 1833; admitted, 1837; practiced, Concord; died, Troy, New York, March 3, 1863.

Mr. Eaton's education was acquired at the Kimball Union Academy and Dartmouth College, and he studied his profession with Samuel Fletcher at Concord, at the same time holding the secretaryship of the New Hampshire Mutual Fire Insurance Company there. He practiced in Concord sixteen years, with some success so far as the pecuniary results were concerned, but apparently without acquiring any high position as a lawyer. It may be that in entering the law he mistook his vocation, as he manifested considerable talent as an inventor, and in 1853 removed to Troy, New York, and there pursued the business of an iron founder.

He afterwards became a member of the firm of Gilbert & Eaton, car builders on a large scale.

He was a good scholar, and possessed a fine personal presence, with a head resembling that of Daniel Webster.

He married in 1843 Mary J., daughter of Horatio G. Cilley of Deerfield.

AMASA EDES.

Son of Samuel and Elizabeth (Baker) Edes; born, Antrim, March 21, 1792; Dartmouth College, 1817; practiced, Newport; died there, September 10, 1883.

Mr. Edes was well described by the late John M. Shirley as "a natural scholar." He manifested in childhood a love for learning, and his early education was mostly self-acquired.

In 1814 he entered the office of James Wilson of Peterborough as a student at law, and began to prepare himself for college by the advice of Mr. Wilson, who generously offered to lend him the means therefor. With a comparatively short period of study in the New Ipswich Academy, young Edes was enabled to enter the junior class of Dartmouth College in September, 1815. After his graduation he employed his time in teaching schools and academies, and resumed his legal studies with Mr. Wilson, then at

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Keene, and was admitted to the bar in 1822. On the first day of the next year he began his long career of practice in Newport.

As a lawyer he was noted for his thorough understanding of his cases, and his sound judgment. His sense of justice was keen, and in his application of it to facts he seldom erred. He met able competitors in the courts, and carried off his full share of success and credit in the encounters. Through life he maintained the character of a trustworthy counselor, and enjoyed an exceptional degree of prosperity and contentment. For a number of his later years he was the respected president of the bar in Sullivan County.

He was an early and earnest advocate of temperance, and never lost his interest in education. He was a member of the legislature from Newport in 1834, and was a trustee of the Newport Academy, and a member of the superintending school committee for many years.

He married Sarah, daughter of Samuel Hart of Keene, March 20, 1823, and had two sons, one of whom is the successor of his father in legal practice.

THOMAS M'KAY EDWARDS.

Son of Thomas and Matilda (Chandler) Edwards ; born, Providence, Rhode Island, December 16, 1795 ; Dartmouth College, 1813 ; practiced, Keene ; died there, May 1, 1875.

Mr. Edwards's legal instructors were Foster Alexander, Henry Hubbard, and Tristram Burges of Providence, Rhode Island.

He settled in practice in Keene in 1817, and passed his life there. Gifted by nature with excellent abilities and business sagacity, he united to them industry and attention to his profession, and for a quarter of a century managed a large and profitable law practice. He tried causes in court to a considerable extent, and argued them well. His mind was logical, he was somewhat downright and literal, and the sense of humor was nearly lacking in him. It is related that once, when he was in political life, he made an attempt to tell a facetious story in a public address, but his success did not encourage him to repeat the experiment.

He began his service for the public as postmaster of Keene from 1817 to 1829; he was representative in the legislature eight

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years, beginning in 1834, and ending with 1856; and in the latter year was a presidential elector. In 1859 he took his seat as a representative in Congress and held it four years. He made few speeches, and they were marked with knowledge of his subject and sensible views.

In 1845 he was chosen president of the Cheshire Railroad, and gave most of his time for seven years to its business. Here he showed himself to have enterprise, self-reliance, and admirable judgment. "He had his own way, in spite of engineers and all," it is said, and the result was favorable in the highest degree. The railroad was a source of an honorable fortune to its president.

His later life was mainly occupied in managing his private concerns. He was president of the Ashuelot Bank, and of the Ashuelot Mutual Fire Insurance Company. His own account of his life written to his college classmates in 1869 concludes with this modest and highly satisfactory statement: "My life has not been marked by any very remarkable incidents. I have always been actively employed, professionally and otherwise, and have been reasonably successful in all matters I have undertaken."

Mr. Edwards married Mary H., daughter of Phineas Fiske of Keene, May 26, 1840. They had seven children.

CHARLES SUMNER ELA.

Son of Hon. Jacob H. and Abigail M. (Kelley) Ela; born, Rochester, May 2, 1853; admitted, 1875; practiced, Rochester; died, Denver, Colorado, October 21, 1883.

Mr. Ela acquired his education in the public schools of Rochester, read law in the office of Worcester and Gafney, and began to practice in the same town in 1875. In 1876 he received the appointment of Judge of the Police Court, and continued in practice there until 1882.

His health had for some time been feeble, and he then went to Colorado on some business for his father, in the hope also that the change of climate might benefit him. He improved so rapidly that he desired to make a longer stay there, and induced his father to form a company for cattle raising, of which he was to be superintendent. But his expectation of fully regaining his health was fallacious, for in the second season he was attacked by disease which proved fatal.

He was a young man of much promise.

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RICHARD ELA.

Son of Joseph and Sarah (Emerson) Ela; born, Lebanon, February 21, 1796; admitted, 1819; practiced, Durham; died, Washington, District of Columbia, January 8, 1863.

Mr. Ela was educated in the public schools of Portsmouth, and studied his profession there with William M. Richardson, with William Plumer the younger, and with Ichabod Bartlett.

He set up his office in Durham the same year, and remained there till 1830, having a good share of practice in the courts of Rockingham and Strafford counties. After leaving Durham he was for a time employed in one of the public offices in Portsmouth, and in 1835 was appointed to a clerkship in the Treasury Department in Washington, District of Columbia, where he passed the residue of his life. He was a very efficient and popular officer, and was the author of various articles of merit on financial subjects. He was a good scholar, a habitual student, a well-read lawyer, and a ready writer. While he was in practice in this State he prepared for publication the trial of Amos Fernald for murder of a child by starvation and other ill treatment, in Strafford County. It was executed with a fullness and accuracy quite rare in those ante-stenographic days.

Mr. Ela was married, August 1, 1844, to Lucia King of Saco, Maine. They had four children, a daughter and three sons.

MELBURN FRANCILLO ELDRIDGE.

Son of Dr. Michael Eldridge; born, Dunstable, Massachusetts, c. 1822; admitted, 1843; practiced, Exeter, Nashua, and Newmarket; died, Milford, October 13, 1854.

Mr. Eldridge fitted himself for the bar in the offices of George Y. Sawyer of Nashua and Bell and Tuck of Exeter. Four or five years of his professional life, from about 1845 to 1849, he spent in Exeter, having an office a part of that time in Newmarket. He then removed to Nashua, and remained there till a short time before his decease. He was in practice awhile, also, in Amesbury, Massachusetts.

He is described as of good powers of mind and pleasing manners, but his repeated changes of residence and early death

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allowed him little opportunity for displaying his aptitude for his calling.

His wife was Adeline, daughter of Daniel Conner of Exeter, and he left one child.

JEREMIAH ELKINS.

Son of Samuel and Esther (Robinson) Elkins; born, Andover, August 31, 1795; Dartmouth College, 1817; practiced, Gilford, Barnstead, and Meredith; died, Meredith, February 24, 1854.

After leaving college, Mr. Elkins proceeded to Virginia, where he was engaged in teaching for several years. He read law with William A. G. Dade, of Prince William County in the same State, and was admitted at the Circuit Court of the District of Columbia in April, 1823. From that time till October, 1833, when he opened an office in Meredith Bridge, Gilford, he was in practice in Washington, District of Columbia. He removed to Barnstead about 1836, and returned to Meredith about ten years later.

He was clerk of the New Hampshire House of Representatives in 1836 and the two following years, register of Probate for Strafford County from 1836 to 1839, and of Belknap County from the time of its formation in 1841 to 1851.

Mr. Elkins was undoubtedly a good scholar and a man of decided capacity. He was popular, and perhaps fonder of politics than of the law. Like many another of similar tastes, he is said to have fallen into convivial habits, which did not advance him in his professional career.

His first wife, married in March, 1838, was Sarah G. Emerson. After her death he married Mary Ann, daughter of Abraham Bunker of Barnstead, who, together with two daughters by his first marriage, survived him.

THOMAS LANGDON ELWYN.

Son of Thomas Elwyn; born, Canterbury, England, c. 1775; admitted, 1811; practiced, Portsmouth; died there, 1816.

This gentleman is said to have been left an orphan at an early age, and to have been educated at the University of Oxford, England. In 1796 he came to this country, and was so much struck with the attractions of a daughter of John Langdon, then a sen-

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ator in Congress, that he determined to give up his own country for her sake. He went back to England, settled his affairs, returned, and married her. His residence was ever afterwards in Portsmouth, and he adopted the surname of his father-in-law as a part of his own.

It is said that he had been admitted an attorney in Pennsylvania, and sought admission in this State simply to conduct a cause in which he was a party, and which contrary to the old adage he succeeded in gaining. He was a peculiar man, but was much respected. He was a representative in the state legislature.

His wife was Betsey Langdon, and he had two sons.

BENJAMIN EMERSON.

Son of Joseph and Lydia (Durrell) Emerson ; born, Alfred, Maine, March 20, 1792 ; Dartmouth College, 1816 ; practiced, Gilmanton and Pittsfield ; died, Pittsfield, January 23, 1878.

Mr. Emerson received his ante-collegiate instruction at the academy in South Berwick, and read law with the facetious John Holmes of Alfred, Maine. Admitted in 1822, he went into practice the next year in Gilmanton, and remained twenty-seven years. He was chosen repeatedly to town offices, and was representative in the legislature in 1824, 1826, and the two succeeding years. In 1849 he changed his residence to Pittsfield. There, too, he was elected selectman, and continued to practice his profession to a greater or less extent to near the time of his decease. He was a lawyer of good standing, and had a large clientele ; but being a modest, unassuming man, never became a leading counsel, though he was able to express himself in public tersely and strongly. In the conduct of business he was very successful, and accumulated a handsome property. For some years he was a director of the Pittsfield bank, and he was an energetic promoter of the Suncook Valley Railroad, and of the Pittsfield Water Works. He was quiet and studious in his habits, and kept himself well informed on all subjects of current interest. He also held strongly religious views.

Mr. Emerson's first wife, whom he married June 6, 1818, was Mrs. Rebecca S. Porter, daughter of Rev. Isaac Story of Marblehead, Massachusetts ; his second was Frances, daughter of Samuel Leighton of Alfred, Maine ; her he married January 31, 1847.

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BENJAMIN FROTHINGHAM EMERSON.

Son of Rev. Daniel and Esther (Frothingham) Emerson ; born, Hollis, July 3, 1806 ; Union College, 1830 ; practiced, Nashua ; died there, September 6, 1884.

Mr. Emerson studied his profession with Benjamin M. Farley of Hollis, and at the Harvard Law School, and opened his office in 1835 in Townsend, Massachusetts. The next year he came to Nashua. Until 1840 he was a partner of Aaron F. Sawyer; afterwards he practiced alone. He had a little office on Railroad Square, which he occupied as long as he lived, and which remained unchanged amid the improvements which were going on around it, in the rapidly growing place.

While he lived in that part of the township called Nashville, he held many town offices and was a leader in local affairs, and after Nashua adopted a city charter he was chosen alderman and representative in the legislature. For the last quarter century of his life his practice was almost wholly in the Probate Court, and was extensive and successful. He was a man of high character, sincere, honorable, and trustworthy.

He first married Eliza Kendall of Bedford, who died in 1870, leaving two sons. In 1872 he was united to Mrs. Caroline C. Morse of Nashua, who outlived him.

SAMUEL EMERSON.

Son of John and Elizabeth (French) Emerson ; born, Chester, February 4, 1792 ; Dartmouth College, 1814 ; practiced, Moultonborough and Sandwich ; died, Sandwich, March 4, 1872.

Mr. Emerson prosecuted his law studies in the office of Amos Kent in his native town, and began to practice in Sandwich in September, 1817. After seven years' residence there, he went to Moultonborough, where he married and remained three years. He then returned permanently to Sandwich. He was solicitor for Carroll County from 1851 to 1855 inclusive, and state senator in 1859.

His rank at the bar was among the highest in his county. As an advocate he did not excel, but as a counselor he commanded great confidence. He gave especial care and attention to the

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preparation of his cases, and was a proficient in the almost lost art of special pleading. He was one of those lawyers who identified themselves with their clients; and in his best days he enjoyed a very large practice.

His first wife was Mary A. Moulton of Moultonborough, by whom he became the father of a son and a daughter. In 1860 he married Mrs. Elizabeth (Morrill) Picket of Chester.

JAMES WOODWARD EMERY.

Son of Samuel and Ruby (Woodward) Emery; born, Haverhill, Massachusetts, November 30, 1808; Dartmouth College, 1830; admitted, 1833; practiced, Portsmouth; died there, December 16, 1891.

Mr. Emery studied law with Ichabod Bartlett of Portsmouth, and afterwards was associated with him in practice until the death of the latter in 1853. In 1857 he removed to Cambridge, Massachusetts, and became president of the Union Horse Railroad Company, which under his management was highly successful. He was also one of the projectors and promoters of the European and North American Railroad, and was largely interested in coal mines in New Brunswick. He returned to Portsmouth in 1870, after which he gave little attention to the law, but was chiefly employed as a director in various banks and railroads, and in other trusts.

Before leaving Portsmouth he was the chief promoter, if not the projector, of the Portsmouth and Concord Railroad, a real experiment, involving risk and troubles innumerable. He was the legal adviser, encourager, and one of the main upholders of the enterprise. Though the original stockholders were losers, yet it is since demonstrated that the scheme was not chimerical, but only a little in advance of the times.

The legal firm of Bartlett and Emery constituted a fortunate combination of qualities, Mr. Bartlett being a brilliant advocate, and Mr. Emery emphatically a worker, with no ambition for display, but earnest and eager for success. Their list of causes in the courts was among the largest in the county.

After Mr. Bartlett's death, Mr. Emery remained a few years in practice alone, in Portsmouth, with an ample clientele. What he won, he gained in fair, open contest; he despised all indirect methods.

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Mr. Emery was a representative in the state legislature for six years between 1844 and 1874, and one of the most prominent and influential members. In 1873 he was Speaker.

He was a man of character and high standing in public and private affairs. Upright and manly, he was respected even as an opponent. Though not a man to waste words, he was frank and pleasant to all who meant honestly.

He was joined in marriage, August 15, 1857, to Martha E., daughter of Captain Andrew W. Bell of Portsmouth, and became the father of two daughters and two sons, one a lawyer.

NOAH EMERY.

Son of Noah and Elizabeth (Chick) Emery ; born, Kittery, Maine, December 22, 1725 ; practiced, Exeter ; died there, January, 1788.

Mr. Emery no doubt prepared himself for the practice of the law under the instruction of Nicholas Perryman of Exeter, and was probably associated with him in business. The amount of legal business at that time must have been small, and the fees proportionate.

As the political troubles between the American colonies and the mother country increased in intensity, Mr. Emery warmly took the side of his country. In June and in December, 1775, he was a member of the provincial Congress from Exeter. He was one of the committee who reported the brief constitution under which New Hampshire was governed through the trying period of the Revolution, the first written constitution adopted by any of the United States.

Mr. Emery was a member and clerk of the House of Representatives, through 1776 and 1777.

In 1776 he received the appointment of clerk of the Court of Common Pleas, and performed the duties as long as he lived.

He was married, March 20, 1745, to Joanna, daughter of Nicholas Perryman, he being twenty years of age, and she only fourteen. He left five sons and four daughters.

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TURNER ESTABROOK.

Son of Rev. Joseph and Lucy (Cushing) Estabrook; born, Athol, Massachusetts, April 18, 1790; Harvard College, 1810; practiced, Lee and Farmington; died, 1816.

While Mr. Estabrook was in college he underwent a severe attack of typhoid fever, from which it is said he never fully recovered. He studied law and was admitted to the bar, and settled in practice in Lee in 1813 or 1814. For a time, too, he appears to have had an office in Farmington. In two or three years he left New Hampshire for Philadelphia, but afterwards proceeded to the South, presumably in pursuit of health. The impression of his friends was that he was drowned while crossing a river in traveling; though they received no definite account of his death. He was unmarried.

ESTWICK EVANS.

Son of John and Susanna (March) Evans; born, Portsmouth, 1787; practiced, Portsmouth and Exeter; died, New York city, November 20, 1866.

This eccentric person belonged to a family of uncommon natural powers; his brother Richard having without a regular legal education reached the position of a judge of the highest court, and his sister Sarah Ann, afterwards Mrs. Lehmanowski, being the author of a novel and other literary works. He was in a great measure self-instructed in the law, and was, contrary to all precedent, admitted an attorney in 1811 by the Court of Common Pleas, without the recommendation of the bar. This proceeding called forth a spirited remonstrance from the bar, and has never since been repeated, it is believed.

Mr. Evans practiced in Portsmouth up to 1815; then awhile in Exeter, and, later, again in Portsmouth. He was noted for taking up the cases of sailors, and the poor generally, who had grievances, and was regarded by them as their champion; while the regular legal practitioners were none too friendly to him of course. Jeremiah Mason is said to have declared that Evans "had about as much influence as any one, because he was a clever fellow, honest, poor, and not well treated, and the people sympathized with him."

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He was a warm politician, and favored the war of 1812. In 1819 he was a candidate for Congress, and in 1822 and the two years following he was a representative in the state legislature.

In 1818 he made a journey on foot from New Hampshire to the West, and to New Orleans. He was clad in furs, carried a long rifle, and was attended by two dogs. He published an account of it under the title of "A Pedestrious Tour," etc. In 1829 he removed to Washington, and spent the rest of his life there, in the practice of the law, and as a clerk in one or another of the departments.

Mr. Evans had the instincts of a soldier. He volunteered in the war of 1812, but had no opportunity to serve. He yearned to join the patriots of South America in their struggle for independence. He actually made a voyage to Greece to offer his services to the revolutionists against the tyranny of the Turks, but the battle of Navarino, accomplishing what he desired, had been fought before his arrival. In the great civil war of 1861 he would fain have taken the field in behalf of the Union, had not his age forbidden. But his pen was busy in the patriotic cause. He was a frequent contributor to the columns of the "National Intelligencer," and put forth a pamphlet early in the war, in favor of the national banking system.

He married, in 1820, Eliza L. Wade of Milford, and had four sons and two daughters.

RICHARD STUART EVANS.

Son of Hon. Richard and Ann W. (Penhallow) Evans; born, Portsmouth, February 5, 1811; Bowdoin College, 1829; admitted, 1833; practiced, Portsmouth; died, Hyattsville, Maryland, 1891.

Mr. Evans was assigned a poem for his part at graduation. He read law under Richard Wallach, in Washington, District of Columbia, and practiced one year in Portsmouth, then in Washington, and in New York city for nearly twenty years. From 1865 he occupied a position in the Treasury Department in Washington ten years, and then resumed legal practice there in company with his son, Richard P. Evans.

He possessed a mind of untiring activity, and gave attention to many subjects outside his profession. He wrote largely for the newspaper press, and lectured widely on literary, patriotic, and

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philosophical themes. He mastered several European languages, and advertised himself as "translator of foreign literature." He retained his powers to a good old age.

He married, in 1850, Catharine E. Roland, and had one son and three daughters.

DAVID EVERETT.

Son of David and Susanna Everett; born, Princeton, Massachusetts, March 29, 1770; Dartmouth College, 1795; practiced, Amherst; died, Marietta, Ohio, December 21, 1813.

This gentleman, before he entered college, and while a teacher of a grammar school in New Ipswich, in 1790, wrote some lines to be recited by one of his pupils of seven years of age, which proved a happy inspiration and will outlast our time. They begin, —

"You 'd scarce expect one of my age,
To speak in public on the stage,"

and have often been attributed to another and more distinguished Everett. Moreover some of the lines have been altered. The couplet —

"May not *New Hampshire* boast as great,
As any other Federal State?"

has had *Massachusetts* foisted into it, to suit a different latitude.

The little poem was welcomed as a gem, and has been repeated times without number at school exhibitions since.

Mr. Everett studied law with John M. Forbes, and went into practice in Boston, Massachusetts, in 1801, but the next year came to Amherst, where he had for a student Lemuel Shaw, afterwards Chief Justice of Massachusetts. Though Mr. Everett adhered to the law some years, he was obviously more inclined to literature than litigation. He wrote poems and orations for public occasions, and published in the "Farmer's Museum" at Walpole a series of papers entitled "Common Sense in Dishabille," filled with wit and wisdom.

In 1807 he went to Boston, Massachusetts, and made journalism his chief profession afterwards. He was connected, editorially, with several publications; he established the "Boston Patriot," and in 1813 proceeded to Ohio, with the design of establishing a newspaper there, but before this was accomplished was struck down by death.

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Among Mr. Everett's productions, which are said by competent authority to be entitled to higher commendation than they have received, are an essay on the rights and duties of nations, and a tragedy entitled "Daranzel, or the Persian Patriot," which was performed on the stage.

He married, in 1799, Dorothy, daughter of Deacon Isaac Appleton of New Ipswich. He left no children.

GEORGE WASHINGTON EVERETT.

Born, New London, November 19, 1819; admitted, 1847; practiced, New London; died, Cincinnati, Ohio, August 27, 1863.

Mr. Everett attended the schools, and afterwards the academy, in New London, and then began his law studies in the office of Walter P. Flanders of that place. He was diligent in application, and depended upon his own exertions for his support. He began his professional life among his own townspeople, by whom he was chosen a representative in the legislatures of 1852 and 1856. He acquired credit as a man of business and a debater. In 1856 he was commissioned solicitor of Merrimac County, and duly completed his five years' term.

When, in 1862, the Ninth Regiment of New Hampshire Volunteers was organized, he became its major. Being then ill, he did not accompany his command to the front, but joined it as soon as his health permitted. In several battles and skirmishes he proved himself courageous and skillful. As the regiment, in August, 1863, was ascending the Mississippi from Vicksburg, he was taken dangerously ill, and was compelled to pause at Cincinnati, Ohio, where he hoped a little rest would restore him; but it proved otherwise, and he breathed his last there.

His wife was Ellen T. Lane of Gloucester, Massachusetts.

JONATHAN C. EVERETT.

Mr. Everett was born and died outside of this State, and so long ago that he is scarcely remembered by even the oldest inhabitant. He was a native of Tyngsborough, Massachusetts, and studied his profession with Clifton Clagett of Litchfield. Admitted an attorney in 1811, he appears to have practiced two or three years in Meredith, about the same period in Hillsborough,

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then in Sandwich about four years, again in Meredith five or six years, then in Plymouth, and finally in Tamworth, each about two years. This closed his career in New Hampshire, and he removed to Dover, Maine, near the year 1831, and is supposed to have died there.

In spite of his many changes of domicile, the historian of Carroll County represents him as traditionally a man of much ability.

RICHARD CLAIR EVERETT.

Son of Captain Richard and Drusilla Shurtleff (Clair) Everett; born, Attleborough, Massachusetts, March 28, 1764; Dartmouth College, 1790; admitted, 1793; practiced, Lancaster; died there, March 22, 1815.

Mr. Everett was an orphan lad obliged to seek a home with an aunt, from whom he ran away, enlisted in the Revolutionary army, and remained therein about two years. The tradition is that his forlorn appearance attracted the notice of General Washington, who took him into his personal service, where he fared better.

On quitting the army he came to Lancaster, and there entered the employ of Major Jonas Wilder, one of the principal settlers; with him he lived two years.

In 1784 he began to study in Moor's Charity School in Hanover, and thence entered Dartmouth College. He could pursue his course there only by dint of careful economy and by occasional school teaching. But about that time he learned that he was entitled to some property which his father had owned, unknown to the family, so that his circumstances became much improved.

He studied law in Albany, New York. In 1793 he returned to Lancaster, and began the practice of his profession. Having still some means from his fortunately discovered patrimony, he purchased lands about the village of Lancaster, which, with others subsequently inherited by his wife, made him a large proprietor. Being the only lawyer, he had substantially all the legal business of the vicinity to do. He was chosen to represent in the legislature the class of towns to which Lancaster belonged, six years, between 1796 and 1802. He was in command of a regiment of militia for some years. In 1805 he exchanged his title of colonel for that of judge, upon being appointed Chief Justice of the Court of Common Pleas for the new county of Coös. In 1813 he was

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made Justice of the state Court of Common Pleas for the Western Circuit, and as such he acted during the residue of his life.

Judge Everett is described as possessing legal knowledge sufficient for his time and purpose. He had good sense and unquestioned honesty. It is said his decisions were rarely appealed from. Judge Nesmith said of him: "Judge Everett, though dying early, had deservedly gained a good solid reputation as a citizen in private life, and a jurist of much eminence, always exerting a salutary influence upon the community while living, and leaving a memory to be cherished, when dead."

He married, in 1793, Persis, daughter of Major Jonas Wilder. He left five daughters, two of whom were married to lawyers.

STEPHEN FALES, JR.

Born, Boston, Massachusetts, May 3, 1790; Harvard College, 1810; admitted, 1814; practiced, Portsmouth; died, Cincinnati, Ohio, September 3, 1854.

Before completing his professional studies, Mr. Fales occupied the position of tutor in Bowdoin College during the years 1811 and 1812. He then finished his term of legal study in the office of Jeremiah Mason, in Portsmouth, while a teacher in his family. He practiced in Portsmouth until about the year 1819, and then removed to Cincinnati, Ohio, where he became a partner of Francis A. Blake, a distinguished lawyer. In 1821 he changed his residence to Dayton, Ohio, and remained there ten years. While there he was chosen a state senator. He then returned to Cincinnati.

Mr. Fales is described as a fine classical scholar, who habitually carried a copy of the Greek Testament in his pocket, and often perused it. He was esteemed and loved by his associates in Bowdoin College, and left behind him many pleasant memories when he quitted Portsmouth. His professional career was not very successful. He was probably engaged in teaching to some extent in Ohio. The late Hon. George H. Pendleton is said to have been his pupil.

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BENJAMIN FRANCIS FARLEY.

Son of Hon. Benjamin M. and Lucretia (Gardner) Farley ; born, Hollis, November 20, 1808 ; Yale College, 1832 ; practiced, Hollis ; died, Worcester, Massachusetts, January 14, 1892.

This was the only son of his distinguished father, and was intended by him to succeed to his legal practice. In his office the son was qualified for admission, and for a time practiced in company with him. But the young man preferred other occupation, though he is said to have often gratuitously given the aid of his legal knowledge to those in need.

He spent a few years in mercantile pursuits in Louisville, Kentucky, and afterwards in Boston, Massachusetts, after which he retired to the country, for which he had great fondness, and gave the greater part of his life to the pursuits of agriculture. In 1870, and subsequently, he lived in Worcester, Massachusetts.

"He was a man of unswerving integrity and most kindly sym pathies, and was held in high regard by all who knew him."

His wife was Mary E. White, and he left children.

BENJAMIN MARK FARLEY.

Son of Benjamin and Lucy (Fletcher) Farley ; born, Hollis, now Brookline, April 8, 1783 ; Harvard College, 1804 ; admitted, 1808 ; practiced, Hollis ; died, Lunenburg, Massachusetts, September 16, 1865.

Mr. Farley pursued his law studies with Abijah Bigelow of Leominster, Massachusetts. Hollis was the scene of his legal labors for forty-seven years; from 1808. He was endowed with qualities which early brought him clients: untiring industry, a clear head, devotion to the interests of his employers, and strict integrity. His constitution was sound and his health vigorous, and he grudged no amount of time or labor in the pursuit of his calling. Every question submitted to him was thoroughly studied and considered. His opinions carried great weight and authority. The business of his office was systematically conducted, and grew to be among the most extensive in his section. The dockets of the courts in his own and the adjacent counties show the extent of his practice in the higher tribunals, and the success which attended it.

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He was especially distinguished for his skill in preparing and dealing with the testimony in his causes for trial. His careful and minute examination of the statements of those whom he intended to call upon the stand to testify caused him to be accused of "drilling" his witnesses. In cross-examinations he was keen, severe, and sometimes, perhaps, overbearing. He assuredly got his evidence before the jury "for all it was worth."

He became an advocate of wide repute, and for years argued numerous important causes before the jury and the law courts. He was no orator in the accepted sense of the term; his speeches were distinguished by plain, severe logic. But they were so clear that the dullest could not fail to get the whole force of them. He knew the vulnerable points of his auditors, and his arrows were rightly directed and seldom went wide of the mark. As a lawyer he deservedly ranked among the best that the State has produced. He would have added strength to the bench at any period. He was a sound classical scholar, too.

He was never at a loss for an illustration. Some one asked him how circumstantial evidence *could be* more convincing than positive testimony. "I can show you," replied Mr. Farley. "I buy a can of milk which the seller assures me he took directly from the cow, strained it into a clean can, which he *knows* was not opened afterwards. If, when I take the stopper from the can, a bullfrog leaps out, the frog is more credible evidence than the man."

The successful lawyer used to be the banker in a country neighborhood. Mr. Farley had money to lend, but unlike some others, he never took usurious interest. He invested his gains in the good old-fashioned security of note and land-mortgage. He is said never to have owned a share of stock in a bank or a manufacturing corporation.

He was much esteemed by the people among whom he lived. He discouraged litigation, and they rarely appeared as suitors in court. They chose him repeatedly to town offices, and made him their representative in the legislature from 1814 to 1818, and from 1824 to 1829, inclusive, eleven years in all. Though in a political minority, his legal learning and weight of personal character gave him great influence as a law-maker.

Mr. Farley was cool and rather distant in his demeanor, but behind his mask of reserve and coldness is said to have had a

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warm and generous nature. He retained his mental and bodily powers to a remarkable extent to the end of his life. His later years he spent in Massachusetts with his relatives.

He was married first to Lucretia, daughter of Rev. Francis Gardner, who bore him six children, and died in 1819. September 18, 1828, he married Lucretia, daughter of Rev. John Ballard, and widow of Lemuel Barker of Pepperell, Massachusetts. One of his sons, and the husbands of two daughters, were of the legal profession.

GEORGE FREDERIC FARLEY.

Son of Benjamin and Lucy (Fletcher) Farley ; born, Dunstable, Massachusetts, April 5, 1793 ; Harvard College, 1816 ; admitted, 1820 ; practiced, New Ipswich ; died, Groton, Massachusetts, November 8, 1855.

Mr. Farley read law in part with Luther Lawrence of Groton, Massachusetts, but chiefly with his elder brother, Benjamin Mark Farley of Hollis. Settling in practice in New Ipswich in 1821, he acquired, during his ten years' residence there, an extensive business. In 1831 he was a member of the state legislature, and later in the same year changed his residence to Groton, Massachusetts, where he practiced with great success for near twenty years. During the latter part of his life he had also an office in Boston.

The testimony to his accurate knowledge of the law, his judgment in the application of it to the cases before him, his keenness and readiness in the emergencies of trials, and his forcible presentation of his clients' claims, is abundant from all who were acquainted with him in his mature years.

Like many of the great verdict-winners, Scarlett, Mason, and others, he made no pretensions to oratory ; his arguments were plain talking, right on a level in point of diction with his audience, but thoroughly logical. When he had finished one of his demonstrations, it was as if he had said, "Get away from that if you can." He fully understood the value of allowing his opponents to put themselves in the wrong. In the trial of a railroad case, the counsel for the road produced some expensively executed plans. Mr. Farley for the plaintiff asked for the loan of them to explain his case to the jury. They had not yet been put in evidence, and the opposing counsel rather cavalierly refused to let

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him see them. Later in the trial they were introduced, and Mr. Farley might of course have used them, but as the jury sympathized with his client when the refusal was made, he preferred not to lose the favorable impression. When he came to make his closing argument, he said to the jury: "Has any one of you a piece of chalk in his pocket?" A juror at once produced one, and Mr. Farley chalked out on the floor before the jury his plan, gaining probably all the more attention from the novelty of the proceeding, and then went on to argue the cause to a favorable conclusion. He "fairly chalked us out of the case," said the president of the railroad; and very wisely gave him a general retainer, when it was over.

Whatever ingenuity could do in the way of explanations and suggestions, which was much in his day when the lips of parties were sealed, was sure to be done in every trial which Mr. Farley conducted.

Governor Boutwell declared that "Mr. Farley often encountered, in important causes, the best practitioners in New Hampshire and in Massachusetts, and in his contests with them never suffered a defeat which was not inherent in the case."

He married, November 25, 1823, Lucy, daughter of John Rice of Ashby, Massachusetts. One of their daughters became the wife of Edward A. Kelley, a lawyer in Boston, Massachusetts.

EVARTS WORCESTER FARR.

Son of John and Tryphena (Morse) Farr; born, Littleton, October 10, 1840; admitted, 1867; practiced, Littleton; died there, November 30, 1880.

Before he had finished his sophomore year in college, young Farr volunteered for the defense of the Union, and was commissioned a lieutenant in the Second Regiment of New Hampshire Volunteers. Six months later he was a captain. While in command of his company at the battle of Williamsburg, Virginia, May 5, 1862, he was shot in the right arm so severely that it had to be amputated. He returned to the front as major of the Eleventh New Hampshire Regiment; served at Vicksburg, under Grant, and elsewhere throughout the war, and was mustered out of service June 4, 1865.

He then studied law with his father in Littleton, and engaged in practice there till his decease. He was appointed assistant

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assessor of internal revenue in 1865, and assessor in 1869, holding the office until 1873. In the latter year he was appointed solicitor of Grafton County, and resigned in 1879 to accept the office of representative in Congress, which he filled two terms. He was also chosen councilor in 1876.

As a soldier Major Farr distinguished himself both as a disciplinarian and by his courage and endurance. Before the enemy he set the highest example of cheerful obedience to orders, and contempt of danger.

As a lawyer he stood among the most promising of the young men of his time. He was a facile and effective speaker, though he never could have been an assiduous student of books. Official stations were his for the asking, and his supporters were not limited by party lines. The duties that devolved upon him he performed faithfully and well. Dartmouth College, in 1872, gave him the honorary degree of A. M.

He married, May 19, 1861, Ellen F., daughter of Augustus Burpee of New Hampton, who with several children survived him.

JOHN FARR.

Son of Noah and Lydia (Cobleigh) Farr; born, Littleton, May 22, 1810; admitted, 1854; practiced, Littleton; died there, October 12, 1892.

The son of a farmer, and of narrow means, Mr. Farr entered a store in his native town, at an early age, as a clerk. After attaining his majority he was for a number of years in the mercantile business. He was also a deputy sheriff five years; a selectman of the town; and was forward in undertakings, not always successful, for the increase of the prosperity of Littleton. At the age of about forty, he began to prepare himself for the bar, first in the office of William J. Bellows, and afterwards in that of Charles W. Rand.

Though Mr. Farr entered the profession at a late period of life, his diligence and business capacity gave him an excellent standing. He had little to do, comparatively, in the judicial courts; his employment was chiefly in his office. As a collector of claims, an adviser in the management of estates, and a draughtsman of instruments, he excelled, and was widely employed. He was president of the Littleton National Bank, and Savings Bank; treasurer and member of the Board of Education; five years

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Justice of the Police Court, and a delegate to the constitutional convention of 1876. He was also a County Commissioner in 1862, and a commissioner to report upon the affairs of the Winnipiseogee Lake Cotton and Woolen Manufacturing Company in 1879.

Mr. Farr was an observing and reflecting man, and gifted with an accurate and retentive memory. From the recollections of his long life he contributed to the "Littleton Argus" a series of valuable sketches of the town and its people.

He was thrice married, first, in 1833, to Tryphena Morse; second, May 5, 1852, to Mrs. E. M. Bowman; and last, October 8, 1862, to Mrs. Emma M. Woolson. Of his eight children, five at least were the fruit of his first marriage.

EDWARD FARRAR.

Son of Daniel W. and Eliza (Wright) Farrar; born, Troy, November 14, 1822; admitted, 1847; practiced, Keene; died there, February 11, 1888.

Mr. Farrar was a student of Dartmouth College during a part of the prescribed course, but was prevented from completing it by impaired health. He prosecuted his professional studies under Levi Chamberlain of Keene, and at the Harvard Law School, taking his degree of LL. B. in 1847. He then established himself in Keene. After he had been there ten years, in December, 1857, he was appointed clerk of the courts for the county of Cheshire, and filled the office acceptably to the time of his decease.

He was elected a representative to the state legislature in 1871 and 1872; an alderman of the new city of Keene the two following years, and mayor the next two years after that. He was Justice of the Police Court from 1876 as long as he lived.

Mr. Farrar was of a pleasant and genial disposition, and was always ready to lend a hand for the relief of those in need of assistance. He devoted special attention to mechanical and scientific subjects. He is said to have invented a machine for reproducing by the aid of electricity, at a distant point, the sound of the voice or of a musical instrument, thus substantially anticipating the electric telephone. The instrument which he constructed was thought worthy of a description in the "Scientific American," since the Bell telephone was perfected.

August 23, 1858, Mr. Farrar was married to Caroline, daugh-

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ter of Charles H. Brainerd of Keene. She, with two daughters, outlived her husband.

HUMPHREY FARRAR.

Son of Humphrey and Lucy (Farrar) Farrar; born, Lincoln, Massachusetts, September 15, 1773; Dartmouth College, 1794; practiced, Canaan; died, Hanover, July, 1840.

Humphrey Farrar, senior, came from Massachusetts to Hanover about the year 1790, presumably for the purpose of giving his four sons a collegiate education. Humphrey, junior, the eldest, became a lawyer, and established himself in Canaan, and may have remained there until the early years of the present century. Where he lived and how he was employed from that time to near the time of his death has not been ascertained; but it is quite certain that he was not a practicing lawyer in this State. It was probably on account of his early associations there that he was led to return to Hanover about the close of his life.

JOSEPH FARRAR.

Son of Humphrey and Lucy (Farrar) Farrar; born, Lincoln, Massachusetts, February 24, 1775; Dartmouth College, 1794; admitted, 1797; practiced, Wolfeborough; died, New York City, February 7, 1851.

Mr. Farrar read law with Mr. Paine of Windsor, Vermont, and practiced in Chelsea, Vermont. There he was chosen clerk of the town, but owing to intemperate habits and other irregularities was dismissed from the bar in 1805. He then came to New Hampshire, and for a number of years found employment as a teacher in Wolfeborough and in Wakefield. Subsequently, about the year 1812, he resumed the practice of the law in Wolfeborough. It ought to be mentioned to his credit, that he had the self-control to reform his habits, and became a temperate man.

He was a genial companion and a fluent talker, and being gifted with a taste and capacity for music, was the chorister of the church in the place of his residence.

Mr. Farrar married Mehitabel Dana, who died a few months before him. Soon afterwards he went to visit his sons, one in New York and the other in Ohio, but his own death occurred at the residence of the former.

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TIMOTHY FARRAR.

Son of Timothy and Anna (Bancroft) Farrar ; born, New Ipswich, March 17, 1788 ; Dartmouth College, 1807 ; practiced, New Ipswich, Portsmouth, and Hanover ; died, Boston, Massachusetts, October 27, 1874.

Mr. Farrar studied his profession in the office of Daniel Webster in Portsmouth, and was admitted as an attorney in Rockingham County in 1810. Beginning practice in New Ipswich, after a stay of only three years he returned to Portsmouth on the invitation of Mr. Webster to become his partner. He continued in Portsmouth until 1822, when he changed his residence to Hanover, and in addition to his law practice, became secretary, treasurer, and librarian of Dartmouth College.

In 1824 he was appointed to the bench of the Court of Common Pleas, and retained his seat till the court was abolished on a change in the judiciary system of the State in 1833. In 1836 he took the office of cashier of the Exeter Bank in Exeter. Upon the expiration of its charter in 1844, he removed to Boston, Massachusetts, where the remainder of his life was passed, partly in professional, and partly in literary and historical work.

He was by no means "forth-putting" in his profession, and perhaps in early life failed to impress men with a sense of his real knowledge and capacity. In 1819 he edited a report of the Dartmouth College case, which perhaps was the immediate cause of his removal to Hanover. His conduct on the bench increased his estimation with the bar and the community. So keen a critic as Moody Kent wrote highly of his legal learning and of his charges to the jury, as being logical and presenting clearly the points in issue.

In later life he prepared papers for publication which gained him much esteem as a publicist and constitutional lawyer. The most important of these was a "Manual of the Constitution," issued in a volume of over five hundred pages, in 1867, written during and just after the great Rebellion, in refutation of certain theories of men who were half sympathizers with it.

Judge Farrar was married, in 1817, to Sarah, daughter of William Adams of Portsmouth.

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WILLIAM FARRAR.

Son of Humphrey and Lucy (Farrar) Farrar ; born, Hanover, September 13, 1780 ; Dartmouth College, 1801 ; admitted, 1804 (?) ; practiced, Colebrook and Lancaster ; died, Lancaster, March 3, 1850.

Mr. Farrar acquired his legal training with Aaron Hutchinson of Lebanon, and as early as 1806 proceeded to Colebrook, and became the first settled lawyer in that town. He is described as diffident, but well-educated and of good habits. His practice in Colebrook was moderate, and he exchanged that place for Lancaster in 1811. There he was made solicitor of Coös County two years from 1812; register of Deeds, 1812 to 1816 ; again solicitor from 1816 to 1826 ; and clerk of the Court of Common Pleas from 1837 to 1839. He was also employed as Justice of the Peace more extensively, perhaps, than any other in the commission in his county.

As a lawyer he was careful and painstaking. His practice was mainly a collecting one. He was a man of great probity and universally respected ; agreeable and pleasant in manner, a deacon of the church, and the leader of its choir.

He married, in 1812, Margaret, daughter of Gaius Kibbe of Minehead, Vermont. After her death in 1822, he married Tryphena Burgin.

JAMES BOUTELLE FASSETT.

Son of Hiram and Cynthia (Adams) Fassett ; born, Enosburg, Vermont, March 4, 1833 ; admitted, 1864 ; practiced, Nashua ; died there, February 3, 1889.

Mr. Fassett qualified himself to be a teacher of a higher grade, and was employed as such in several towns in this State. His professional studies were carried on with Minot and Mugridge of Concord and with Charles R. Morrison of Manchester, and he chose Nashua as his future home, going there immediately after his admission.

His experience as an instructor led to his being placed upon the board of education, on which he served five terms. In 1876 he was appointed Judge of the Police Court, and so continued to the end of his life. He was repeatedly chosen moderator of his ward, and in 1889 was a delegate to the constitutional conven-

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tion, which closed its labors only about three weeks before his decease.

Judge Fassett was a man of genial temperament, and especially fond of athletic sports. As a lawyer his standing was good, and his practice successful.

He married Ellen M., daughter of Hon. Hiram T. Morrill, who with six children survived him.

FRANCIS AUGUSTUS FAULKNER.

Son of Francis and Eliza (Stearns) Faulkner; born, Keene, February 12, 1825; Harvard College, 1846; admitted, 1849; practiced, Keene; died there, May 22, 1879.

Mr. Faulkner was prepared for college at the Phillips Exeter Academy, and studied law in the office of Phineas Henderson of Keene and at the Harvard Law School. When admitted to practice he formed a partnership with William P. Wheeler, which subsisted until the death of the latter. He then continued in practice alone until a few months before his decease. It was truly said of him that his life was an almost unexampled record of work and achievement. The practice of Wheeler and Faulkner was a very large one in two counties, at least, and the junior partner did his full proportion of the work, and, after Mr. Wheeler's death, had the entire burden of the business to sustain, as none of the clients of the office were disposed to transfer their cases to another.

Mr. Faulkner was not the man to slight his work, and labored faithfully and conscientiously to conduct every client's cause to the best practicable conclusion. He was admirably and exceptionally adapted and equipped for his calling. "To a finely organized brain he united robust health and an ardent love for his profession, which enabled him to accomplish an amount of work that excited the wonder and admiration of his associates." His technical knowledge was thorough and ready; he had sound sense and discriminating judgment in the application of it, and his equanimity was never disturbed. His manners were courteous, his integrity and honor were above suspicion. He was thoroughly unpretending; he never sought position, but many places of trust came to him, a few of which he accepted. He was solicitor of Cheshire County from 1856 to 1862, and then commissioner of

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the board of enrollment during the remainder of the war; he represented Keene in the legislature for several terms, and in the constitutional convention of 1876; and he was president of the Cheshire Provident Institution during the later years of his life.

He was deeply interested in political affairs, and no man in his section wielded more influence. He was one of the main pillars in the religious society to which he belonged. He was a citizen of liberality and public spirit, and a friend to whom one could intrust his property or his reputation.

He married, in 1849, Caroline, daughter of Hon. Phineas Henderson, and left three sons, one a lawyer.

WILLIAM EMERSON FAULKNER.

Son of Francis Faulkner; born, Acton, Massachusetts, October 22, 1776; Harvard College, 1797; practiced, Claremont and Newport; died, Brookfield, Massachusetts, October 1, 1804.

The share of this gentleman's brief tenure of life which was passed in New Hampshire was small. He studied his profession with his brother-in-law, Jabez Upham of Brookfield, Massachusetts, and settled as a lawyer in Claremont in 1801. After a stay there of four or five months he changed his residence to Newport; continued there a short time, and returned to Brookfield, where he became a partner of Mr. Upham.

He married a sister of Mr. Upham.

FRED R. FELCH.

Son of Horace C. and Helen H. W. Felch; born, Bradford, July 15, 1860; admitted, 1883; practiced, Derry and Manchester; died, Manchester, December 22, 1891.

Mr. Felch was educated in the high schools of Bradford and Warner, and became a law student of Mason W. Tappan in the former town. He began to practice in Derry in May, 1884. A part of the time he had also an office in Boston, Massachusetts. In 1888 he was the candidate of his party for solicitor of Rockingham County, but failed of an election. In the spring of 1891 he was engaged as the general attorney of the Granite State Provident Association, and removed to Manchester. He was an enterprising lawyer, and an active politician.

In December, 1884, he married Jennie L., the adopted daughter of J. K. Lund. They had one child.

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JEREMIAH FELLOWES.

Son of Ephraim and Betsy (Tucke) Fellowes; born, Exeter, May 1, 1791; Bowdoin College, 1810; practiced, Exeter; died, Concord, September 5, 1865.

Mr. Fellowes was received into Phillips Exeter Academy in 1803, at the age of twelve. In college he is said to have cultivated literature more than science, and was known as the poet of his class. After passing the usual time in George Sullivan's office as a student, he became an attorney at law in Exeter in 1813. It is presumed that he gave more attention to the muses than to his profession, and in 1824 he put forth a volume of verse, entitled "Reminiscences, Moral Poems, and Translations."

While he was still a young man his mental powers gave way, and he at length became the inmate of a retreat for the insane, and passed there the remainder of his overclouded life.

NATHAN BUCKMAN FELTON.

Son of Benjamin Felton; born, Pelham, now Prescott, Massachusetts, November 12, 1798; Middlebury College, 1821; admitted, 1824; practiced, Haverhill; died, Haverhill, December 22, 1876.

Mr. Felton fitted himself at the Chester Academy in Vermont, in a year and a half after he began the study of the classics, to enter the junior class in Middlebury College. He read law with Charles W. Field at Newfane, Vermont, and was admitted there. Opening his office in Lebanon, he lived there until 1834; and then removed to Haverhill, upon being appointed clerk of the Superior Court for Grafton County. That office he occupied until 1848. In 1852 he was appointed register of Probate, and performed the duties about four years. He was chosen to various town offices in Haverhill, and twice represented the town in the state legislature, in 1842 and in 1853.

After Mr. Felton gave up the clerkship, he acquired an extensive practice. His standing at the bar was excellent, as a "careful, painstaking, and learned lawyer," or, as another expressed it, "a very keen, critical lawyer, who prepared his cases well, and argued them well, — one of the best lawyers at the bar." He did not so much excel as a jury advocate as in discussing law points,

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which he did in a peculiar way, "by snatches — as keen as razors." In his knowledge of the practice of the courts he had no superior in the State, and was consulted as an authority by the judges themselves. He was a man of great general information, not copious of speech, but what he said was always well considered and to the point. A quaint humor often gave his words peculiar pungency, and riveted them in the memory of his hearers. His perfect uprightness was proverbial. He had a kind heart, and showed much practical benevolence towards those who needed help.

His wife was Ann M. Reding, a sister of Hon. John R. Reding of Portsmouth. They had no children.

WILLIAM GOODELL FIELD.

Son of William and Jerusha (Goodell) Field ; born, Connecticut (?), c. 1788; Brown University, 1808 ; practiced, Walpole ; died, Louisville, Kentucky, March 19, 1853.

This gentleman was in practice in Walpole as early as 1812, and in 1814 became a counselor of the Superior Court in Cheshire County. His law practice is said not to have been extensive. He was a school teacher in Walpole in 1821 and 1822 ; one of the superintending school committee from 1821 to 1824, inclusive, and in 1827 and 1828; representative in the legislature, 1826 to 1829, inclusive ; town clerk in 1826, 1827, and 1828, and moderator in 1829. In the year last mentioned he emigrated to Dayton, Ohio, where he was admitted to practice in the Supreme Court, and afterwards settled in Louisville, Kentucky.

He married Eliza Stone at Walpole, July 22, 1816. They had three daughters and a son born in Walpole. Mrs. Field died in Dayton, soon after their arrival there. Later, Mr. Field was again married.

JOHN LANGDON FITCH.

Son of Hon. Lyman and Rhoda (Crocker) Fitch ; born, Thetford, Vermont, January 26, 1820 ; practiced, Manchester ; died there, December 10, 1860.

Mr. Fitch received his education at the academy in Thetford, Vermont, and studied law with his brother-in-law, George W. Morrison, in Manchester. On being admitted to the bar, about

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1845, he became a partner of Mr. Morrison, and continued such during the remainder of his life. He is credited with good abilities, but is said to have been of an aggressive temperament, and to have lacked cultivation. He accomplished a good deal of the business of the office, but his habits were not such as to conduce to long life.

He was elected president of the common council of Manchester in 1850.

He married Elizabeth Rogers of Bradford, Vermont, and left two daughters.

CHARLES FLANDERS.

Son of Nehemiah and Sarah (French) Flanders; born, Newburyport, Massachusetts, February 11, 1788; Harvard College, 1808; practiced, Plainfield and Manchester; died, Plainfield, April 15, 1860.

Mr. Flanders was fitted for college under Michael Walsh in his native town, and studied law with Samuel L. Knapp and with Little and Banister of Newburyport. He established himself in his profession at Plainfield, and there remained until 1848 when he removed to Manchester, but resumed his residence in Plainfield about 1855. He was representative of Plainfield in the legislatures of 1829, 1830, and 1838, and solicitor of Sullivan County from 1827 to 1837. In 1847 Dartmouth College gave him the honorary degree of Master of Arts.

Mr. Flanders was for many years very successful in his profession. In 1823 he and Samuel Morse of Bradford are said to have made each more entries in court than any other lawyer in the county. He is described as industrious and attentive to his clients' interests, of a clear and logical mind, and an honest man. By all accounts he stood well in his profession. His business had somewhat diminished when he left Plainfield, as writ-making, which had, in the earlier part of the century, been a main reliance of country lawyers, had by reason of the change in the methods of business greatly declined.

He married, August 20, 1815, Lucretia Kingsbury of Keene, and had four sons and a daughter. Two of his sons became lawyers. One lived several years in Manchester. The other, Henry Flanders, is known as the author of the "Lives of the Chief Justices" and of some law works.

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WALTER POWERS FLANDERS.

Son of Ezra and Lucy (Harriman) Flanders; born, Warner, March 29, 1805; Dartmouth College, 1831; practiced, New London; died, Milwaukee, Wisconsin, January 24, 1883.

Mr. Flanders after his graduation was for some time principal of the Lancaster Academy. His law studies he prosecuted with John D. Willard of Troy, New York, and George W. Nesmith of Franklin, and went into practice in New London in 1834. In 1842 and 1843 he was a member of the state legislature, and in 1848, after fourteen years' practice in New Hampshire, he went to Milwaukee, Wisconsin, and engaged principally in railroad and real-estate business, which he followed up to March, 1881.

He was a man of great energy and force. He had a good deal of business and was strenuous for his clients' interests. He was a capable, strong lawyer, though not learned in the niceties of his profession. Perhaps aware of this, he was cautious and suspicious; slow to enter into agreements, lest he should find himself entrapped. He took part in trials to some extent, but the greater part of his business was outside of the court house. He was decided in his opinions, and was an early anti-slavery man.

His wife was Susan E., daughter of Jonathan Greeley of New London. They were married September 23, 1834, and had five children.

WILLIAM W. FLANDERS.

Son of Ezra and Lucy (Harriman) Flanders; born, Piermont, March 12, 1821; admitted, 1850; practiced, Wilmot; died there, August 24, 1891.

This was a younger brother of Walter P. Flanders of New London, and made his home with him while fitting for college at the academy in that place. Being prevented by severe illness from taking a collegiate course, he pursued the study of the law with Mason W. Tappan at Bradford.

He entered into practice in Wilmot in 1850. From that town he went representative to the legislatures of 1855 to 1858 inclusive, and served one or more years upon the committee on the judiciary. In 1875 and 1876 he was solicitor of Merrimac County. He was a man of sound understanding, and an honest, diligent, and faithful lawyer. As a legislator he was fair, and

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strove to serve the public interest. He lived to become the oldest practicing lawyer in the county.

He was married, January 30, 1855, to Mary S. Ford of Danbury. Their children were a daughter and two sons.

ARTHUR FLETCHER.

Son of Deacon Nathan F. and Nancy (Pillsbury) Fletcher ; born, Bridgewater, October 1, 1811 ; Yale College, 1836 ; admitted, 1840 ; practiced, Concord ; died there, February 19, 1885.

Ever after he arrived at the age of nineteen, Concord was the home of Mr. Fletcher. He passed the first half of his college life at Dartmouth, and then migrated to Yale. After some months spent in teaching in New York, he studied with his uncle, Samuel Fletcher of Concord, for the bar, and was duly admitted in Merrimac County. The next two years he was employed in winding up the affairs of the Concord Bank. The residue of his life was devoted to his profession, till within a few years of his decease. He was appointed special Justice of the Police Court of Concord in 1868, and held the office about eight years.

He was a lawyer in excellent standing, attentive to the interests of his employers, and successful in his management of the affairs of others and in acquiring a competency for himself.

He married Harriet M., sister of Josiah Minot of Concord, August 1, 1848, who, together with their one daughter, outlived him.

CHARLES B. FLETCHER.

Son of Hon. Isaac and Abigail (Stone) Fletcher ; born, Lyndon, Vermont, 1816 ; practiced, Nashua ; died, Lyndon, Vermont, September 12, 1851.

Of quick parts and precocious in learning, young Fletcher is said to have completed his education at the Catholic college in Montreal, Canada, in 1835, and accompanied his father, a member of Congress, to Washington during most of the time from 1837 to 1841. Thus under his father's guidance he acquired the needful legal knowledge for admission to the bar, together with such information as to matters of legislation and state as such a connection would naturally impart to an inquiring mind.

On the death of his father in 1842 he succeeded to his business, and continued in Lyndon for a year or two afterwards ; but

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about the year 1844 he removed to Nashua, and while there was a partner in practice of Benjamin M. Farley of Hollis.

He was a fine public speaker and an advocate of promising ability. Of a nervous, impulsive temperament, he united with it much energy, vivacity, and brilliancy of intellect. Unfortunately his popular qualities led him into convivial society, and deviation from habits of temperance ill comported with his delicate constitution. About the year 1850 he left Nashua for Boston, Massachusetts, where for a short time he was an inmate of the office of his wife's uncle, George F. Farley, and then returned to Lyndon, Vermont. He survived the change but a few months.

He married, in 1843, Lucy, daughter of Benjamin M. Farley of Hollis.

HIRAM ADAMS FLETCHER.

Son of Ebenezer and Peddy (Smith) Fletcher; born, Springfield, Vermont, December 14, 1806; admitted, 1830; practiced, Colebrook and Lancaster; died, Lancaster, January 30, 1879.

The subject of this notice, at the age of seventeen, entered the Kimball Union Academy in Plainfield, and made the best use of his time in study, for about two years, after which he began to fit himself for the law. He read successively with Seth Cushman of Guildhall, Vermont, with John L. Sheafe and Jared W. Williams of Lancaster, and with Henry Hubbard of Charlestown, five years in all, and was admitted to the bar in Sullivan County.

One year he practiced in his native town in Vermont, and then went to Colebrook, remaining there till 1849, and doing business on both sides of the Connecticut, as was usual with the active lawyers of the towns bordering on the river. The work was hard, but it was the kind of practice that brought out a lawyer's resources, and Mr. Fletcher never shrank from any needful toil or exposure. Under these circumstances he acquired a professional standing that enabled him, when he removed to Lancaster, in 1849, to take a leading position there. In that place he continued to practice up to within a short time of his death, rounding out the period of forty-seven years of active professional life.

His business was varied, abundant, and much of it important. He was a careful student of his profession, had a remarkable memory of authorities, and kept up with the latest decisions. In

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meeting the shifting exigencies of trials, he was noted for his readiness and tact. He was once engaged in the defense against a very stale promissory note which had long before become "outlawed" in New Hampshire, where the maker lived, but was sued in Vermont, where he happened to be long enough to be served with process. When the Court inquired of Mr. Fletcher what was the nature of his defense, he replied, "the age of the note." "But," replied the judge, "you have no plea of the statute of limitations." "No matter," said Mr. Fletcher, "the general issue will answer." The plaintiff produced his note, and proved the execution of it. Mr. Fletcher went to the jury without any further evidence. He took up the instrument, yellow with age and worn with folding, and began his address to the jury by a solemn apostrophe to the note, as a relic of antiquity that had come down from a former generation. Then he argued that the legal presumption attached to all instruments, after a sufficient lapse of time, that they had been duly paid and settled.

The jury, none too favorable to the enforcement of stale claims, acquiesced in his views, and gave him their verdict.

His notions in religious matters were of a somewhat "advanced" school, and he was accustomed to refer to a church which kept up the strictest Calvinistic rigor as "the iron-works."

At a hotel table where the *menu* was rather meagre, and his hunger proportionately keen, when the waiter inquired what he would have, — "The whole bill of fare," was his reply.

A man of some prominence in a neighboring State, who had repeatedly put himself within reach of the law, and had escaped by the skin of his teeth, was at length indicted on evidence that seemed overwhelming. Just before his trial was to come on, the man died. "A cunning old fellow," said Mr. Fletcher. "I knew he would get out of the scrape somehow; and he has."

Mr. Fletcher cultivated some tastes outside of his profession. He was fond of books, notably old law books, and antiquities and curiosities. He had a small armory of guns and pistols, and adorned his walls with trophies of the chase.

He married, in 1834, Persis E., daughter of Dr. Benjamin Hunking of Lancaster. Their children were six in number. One of his sons is a lawyer, and one of his daughters married another.

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RICHARD FLETCHER, LL. D.

Son of Hon. Asaph and Sarah (Green) Fletcher ; born, Cavendish, Vermont, January 8, 1788 ; Dartmouth College, 1806 ; practiced, Salisbury ; died, Boston, Massachusetts, June 21, 1869.

Mr. Fletcher's circumstances early taught him the lesson of frugality; he had to borrow a coat in which to appear at his graduation, and to resort to credit for obtaining the means to study and begin his profession. He was an industrious and superior scholar, and on leaving college obtained the preceptorship of the academy at Salisbury. There for the first time he saw Daniel Webster, whose fame as a student still lingered at Hanover. "It was the most majestic figure and the noblest countenance on which I had ever looked," said the young man. Webster became from that time his beau ideal of all manly and intellectual perfection, and on finishing his engagement as preceptor at Salisbury in 1809, he went to Portsmouth to complete his law studies, in the office, at the same time that he boarded in the house, of Webster.

He was admitted an attorney in Rockingham County in 1811, and established himself in Salisbury. He was quick-witted, diligent, and ambitious. Few practitioners in the State have reached the topmost rounds of the ladder with such celerity as he. He practiced in New Hampshire about ten years, but in that brief period he built up a business and a reputation scarcely inferior to those of the ablest men of thrice his experience at the bar. He was especially noted as an advocate. Rufus Choate, while in college, traveled from Hanover to Concord, no insignificant journey in ante-railroad times, to hear Fletcher speak in an important cause, and was so much pleased with the argument that it decided him to become a lawyer. The author of the Fletcher genealogy describes him as "an orator of great power, fluent and elegant in diction, bright and sparkling in thought, keen and quick in repartee." Judge Pingry of Vermont, after listening to a legal argument of Fletcher's of some hours' duration, said "it was the most learned and powerful that he ever heard from human lips." It was the opinion of the late Judge Wilcox that "Mr. Fletcher was the best advocate who ever appeared at the Grafton bar."

He became one of the half a dozen eminent counselors who

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traveled the circuit with the judges, and were retained to lead in the principal trials in several counties. He thus came to have the charge of the action of *Dow* v. *Joseph Bell*, in Grafton County, for breach of promise of marriage. It is said that Fletcher and Bell were not friends, and were rivals for the favor of the lady whom Bell married. It is certain that Fletcher remained single for life. In the trial referred to, Fletcher is said to have been peculiarly bitter in his condemnation of Bell's conduct towards the plaintiff. But the defendant won the verdict.

An anecdote of Mr. Fletcher's New Hampshire experience was related by the venerable George Kent. On a Sunday morning during a term of the court at Haverhill, Mr. Fletcher found Judge Richardson and Mr. W., a member of the Grafton County bar, who was noted for having but little respect for Sunday or any religious observances, in the parlor of the hotel, and invited Judge Richardson to go with him to church. The judge excused himself, and, looking at Mr. W., remarked, "No doubt brother W. will appear for me on this occasion." "May it please your Honor," replied Mr. Fletcher, "I am very much afraid that he is already retained on the other side!"

In 1819 Mr. Fletcher removed to Boston, Massachusetts. It is reported that he first distinguished himself in public there as a volunteer counsel, in a case which was in danger of being sacrificed by the incompetence of the lawyer. Mr. Fletcher at a moment's notice proffered his aid, saved the cause, and made himself a position.

Though he had no predilection for politics, he was once or twice chosen to the legislature of Massachusetts, and in 1837 was elected to Congress. He found, however, that the place was unsuited to his taste and his talents, and though renominated and secure of his reëlection, he declined the position, and again returned to his practice.

In Massachusetts, as in New Hampshire, he took his place among the ablest members of the bar. Engrossed in his profession, without a family, without even a hobby, his time, his labors, and his ambition were all concentrated on the law. He was repaid by signal success in his practice, by the acquisition of an ample fortune, and by the highest distinction as a jurist.

In 1848 he was appointed a Judge of the Supreme Court of the Commonwealth. Though he possessed abundant learning,

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courteous manners, and an ardent desire to do justice, he appears to have found the duties uncongenial, and after five years relinquished his office.

He did little business after leaving the judgeship. The measure of his ambition was filled. He devoted the remainder of his long life to study and reflection. He was highly religious, and made use of his means and faculties to do all possible good. He was for several years the superintendent of the Sunday-school, and was chosen deacon of the church of which he was a member. He declined the latter office, however, because, being unmarried, he could not fill the Scripture requirement that a deacon must be "the husband of one wife."

He was a trustee of Dartmouth College, a fellow of Brown University, and an overseer of Harvard University, each several years, and from each he received the degree of Doctor of Laws.

SAMUEL FLETCHER.

Son of Joshua and Sarah (Brown) Fletcher; born, Plymouth, July 31, 1785; Dartmouth College, 1810; practiced, Concord; died there, October 28, 1858.

After his graduation Mr. Fletcher was the preceptor of the Gilmanton Academy for two years, and then became a student at law in the office of Samuel Green at Concord. In 1815 he was admitted to practice in the Court of Common Pleas, and set up his office in Concord.

He early connected himself with the leading religious society of the place, and for some time was the editor of the "Concord Observer," the organ of the orthodox Congregationalists of the State. He thus formed a wide acquaintance with the leading people of that sect, which was of no small service to him in his business.

He gained an extensive practice in his county. He prepared cases and argued them to the jury with ability and success, and was the trusted counselor of a numerous clientele. He could not be called a great lawyer, but was fully competent to meet all the demands of ordinary practice.

In the year 1842 he accepted the offer of the office of treasurer of the Phillips Academy and Theological Seminary at Andover,

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Massachusetts, removed, and resided there until the year 1850, when he returned to Concord to pass the evening of his days.

Early in his professional life Mr. Fletcher had been chosen for two years a member of the lower House of the legislature, but he had no inclination for a political career. For many of his later years he was a trustee of Dartmouth College.

He was married, in July, 1819, to Nancy, daughter of Colonel Boardman of South Reading, Massachusetts. After her death he married, in February, 1847, Mrs. Hannah Briggs, daughter of Rev. Jabez Chickering of Dedham, Massachusetts.

LYMAN THOMAS FLINT.

Son of Thomas and Azubah (Willey) Flint; born, Williamstown, Vermont, September 29, 1817; Dartmouth College, 1842; admitted, 1847; practiced, Colebrook and Concord; died, Concord, April 14, 1876.

After he graduated from college Mr. Flint spent some four years in teaching in schools and academies, and then applied himself to legal study under William C. Thompson of Plymouth, and Hiram A. Fletcher of Colebrook. In 1847 he opened an office in Colebrook, remained there seven years, and then removed his residence to Concord. He enjoyed a considerable practice in Colebrook, and also in Concord, and established a reputation for the thorough character of his preparation of cases, and for his success in the collection of evidence. The operations of his mind were slow, but when he fairly made himself master of a case he was confident, pertinacious, and strong. He had not fluency of speech, and did not excel in advocacy, but he was an able lawyer, and an honest, conscientious man.

He was chosen representative from Concord in the state legislature in 1871 and 1872, and was appointed county solicitor in 1871, holding the position two or three years.

Subsequently to this, Mr. Flint, from some conscientious scruples, abandoned the practice of the law, and purchased land two or three miles distant from the city of Concord, where he erected a house and labored as a husbandman till his death.

He married, in 1844, Hannah W. Willard of Lyndon, Vermont, and left three sons and two daughters.

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GEORGE GILMAN FOGG, LL. D.

Son of David and Hannah Gilman (Vickery) Fogg ; born, Meredith, May 26, 1813 ; Dartmouth College, 1839 ; practiced, Gilmanton and Concord ; died, Concord, October 5, 1881.

Mr. Fogg acquired his professional training under Warren Lovell and Stephen C. Lyford of Meredith, and at the Harvard Law School, and entered into practice at Gilmanton Iron Works in 1842. The four years that he continued there covered the whole of his strictly professional experience.

He manifested early a strong interest in political affairs, and in 1845, when the Free Soil party had its birth, was one of its earliest sponsors. In 1846 he was a representative in the legislature, and was chosen Secretary of State. He assumed the control of the "Independent Democrat," and gave his energies to the management of that journal for the ensuing fifteen years. In 1855 he received the appointment of state law reporter, and held the office until 1859. In 1856 he was made clerk of the Kansas commission ; in 1860 he was a delegate to the Republican National Convention, and secretary of the National Executive Committee.

President Lincoln in 1861 appointed Mr. Fogg minister for the United States to Switzerland, and he resided there until 1865. In 1867 he was appointed by the governor United States senator to fill out the unexpired term of Daniel Clark.

Returning to Concord, Mr. Fogg continued his connection with the press for some years. He was also a trustee and benefactor of Bates College, and corresponding secretary of the New Hampshire Historical Society.

Mr. Fogg was a genial, social man and a writer of earnestness and force. Bates College honored him with the degree of LL. D.

He never married.

HENRY ASA FOLSOM.

Son of Jesse and Elizabeth (Varney) Folsom ; born, Sandwich, February 14, 1846 ; Dartmouth College, 1871 ; practiced, Hanover ; died there, April 6, 1887.

Mr. Folsom was educated at Gilmanton Academy and Dartmouth College ; studied law with N. C. Berry of Boston, Massa-

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chusetts, and graduated LL. B. from the Harvard Law School in 1874. In 1872 and 1873 he was in Washington, District of Columbia, as secretary of the United States Senate Committee on the District of Columbia. From 1874 to 1882 he practiced law in Boston, Massachusetts, and in the latter year was invited to Dartmouth College as lecturer on municipal, constitutional, and international law. He accepted the position, and was a resident and practitioner in Hanover from that time till his decease.

He was distinguished for his scholarship and his professional learning, and possessed a mind of that analytic and well-balanced character which is well termed judicial. His exposition of legal principles is said to have been singularly clear and intelligible.

He never married.

IRA FREEMAN FOLSOM.

Son of Benjamin G. and Ruth (Rowe) Folsom; born, Gilford, May 20, 1821; Dartmouth College, 1848; practiced, Gilford; died there, August 18, 1859.

Mr. Folsom prepared himself for practice in the office of Charles H. Butters of Pittsfield, and began business in 1851 at Meredith Bridge. He was a lawyer of highly respectable attainments, straightforward and industrious, and acquired a good general practice during the eight years of his professional life.

He never married.

ELIJAH FOOTE.

On the first organization of the county of Essex, Vermont, in the year 1800, the name of Elijah Foote appears as counsel in one of the seven actions on the docket of the court. He was state's attorney for the county in 1801 and 1802, and in 1813 and 1814; represented Guildhall in the legislature of the State five years, between 1807 and 1813; and is reputed to have been "a very respectable attorney and esteemed citizen."

He practiced in Essex County till 1817, when he removed into New Hampshire and located himself in Hinsdale, where he appears to have lived till 1820.

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DAVID FORBES.

Son of Lieutenant Robert and Mary (Graham) Forbes; born, Rutland, Massachusetts, 1762; Dartmouth College, 1790; practiced, Chesterfield and Keene; died, Rutland, Massachusetts, June 6, 1814.

This gentleman, of whose early history little has been learned, settled in Chesterfield as an attorney in 1793, and was admitted a counselor of the Superior Court in 1796. In that or the following year he went to Keene, which was his home until about 1812, when he returned to Rutland, Massachusetts, the place of his nativity. He was a representative from Keene in the legislature of 1803.

General Wilson remembered Mr. Forbes as a man of "a good deal of character; an interesting, witty, funny man." He is believed never to have been engaged much in trials in court.

JOSIAH FORSAITH.

Son of Deacon William and Jane (Wilson) Forsaith; born, Deering, December 14, 1780; Dartmouth College, 1807; practiced, Goffstown and Newport; died, Newport, March 30, 1846.

Mr. Forsaith pursued his course of law study in the offices of George B. Upham and Caleb Ellis of Claremont, and established himself as an attorney at Goffstown in 1810. The succeeding twelve years he spent in that place, with the exception of two or three of the later, when he was in Boston, Massachusetts. In 1822 he went to Newport, and followed his profession there during the residue of his life.

He was a superintending school committee, and in 1841 a representative of Newport in the state legislature. He did a fair amount of business in his profession, and his career is described as a successful one.

He married Maria, daughter of William Southworth of Hingham, Massachusetts, October 6, 1822. Of their five children one became a lawyer, and a Judge of the Municipal Court of Boston, Massachusetts.

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HERMAN FOSTER.

Son of John and Mary (Danforth) Foster; born, Andover, Massachusetts, October 31, 1800; admitted, 1839; practiced, Manchester; died there, February 17, 1875.

Mr. Foster prepared himself at the Derry Academy to enter college, but a disease of the eyes forbade him to pursue a further course of study. For several years he was engaged in teaching, and then entered mercantile business in Boston, Massachusetts. Failing in that, he removed in 1830 to Warner, and for the next eight years lived upon a farm. While there he studied law in the office of Henry B. Chase, and in 1840 opened an office in Manchester. With that place and its interests and prosperity, Mr. Foster became identified for the remainder of his life.

He was chosen treasurer of the town in 1842 and 1843; representative in the state legislature in 1845 and 1846; city solicitor in 1857; state senator in 1860 and 1861, being president of the Senate the latter year; and representative again in 1868 and 1869. In his legal capacity he built up a large office business, and brought many suits. He was not an advocate, but his advice was sought in many important causes, and he was a confidential counsel of the great corporations of Manchester.

He was a trustee of the Manchester Savings Bank, a director of the old Amoskeag Bank, and subsequently of the Amoskeag National Bank, treasurer and clerk of the Manchester Gas-Light Company, and one of the first directors and clerk of the Manchester and Lawrence Railroad.

In his dealings Mr. Foster was straightforward and exact; he was a helpful friend, and a public-spirited citizen.

He married, in November, 1826, Harriet M. A. Whittemore of West Cambridge, Massachusetts.

JOHN LUTHER FOSTER.

Son of John and Phila (Haskins) Foster; born, Lyman, September 15, 1837; Dartmouth College, 1864; admitted, 1867; practiced, Manchester, Littleton, and Lisbon; died, Lisbon, January 17, 1890.

Mr. Foster was fitted for college at the academy at Peacham, Vermont, and after a term of service as paymaster's clerk, towards

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the close of the civil war, was prepared for admission to the bar in the office of Morrison, Stanley, and Clark at Manchester, with whom he was for about a year associated in practice. He then went to Boston, Massachusetts, for two years; and returning to New Hampshire, established himself at Littleton from 1874 to 1877, and finally in Lisbon. In Littleton he held the office of Justice of the Police Court, and while in Lisbon he was for years chairman of the Board of Education, and a member of the constitutional convention of 1889.

He was a gentleman of good talents and amiable character, and a lawyer of excellent standing, though his practice was somewhat interrupted by ill health.

He married, January 14, 1875, Augusta L. Stevens of Haverhill. He left a widow with three children.

JOHN MATHER FOSTER.

Son of Rev. Dan Foster; born, Poquonock, Connecticut, c. 1780; admitted, 1807; practiced, Stoddard; died there, c. 1815.

Before Mr. Foster's admission as a counselor of the Superior Court, he had probably seen at least two years' practice as an attorney, at Stoddard. Apparently he moved for a time to Lyndon, Vermont, though he did not remain there long. The historian of that town describes him as "naturally bright and kinky, particularly so when he was a little warmed up by the *spirit* of the *bar*." He is stated to have left Lyndon in 1812, and to have entered the army. He was afterwards in Stoddard to the time of his decease.

He was married, November 24, 1805, to Alice Carlisle at Charlestown.

WILLIAM RUSSELL FOSTER.

Son of Joseph Hiller Foster; born, Portsmouth, 1854; Harvard College, 1875; practiced, Portsmouth; died there, March 10, 1883.

Mr. Foster was prepared for college at the Phillips Exeter Academy, and studied his profession in Portsmouth. Beginning practice there in 1878, he was the next year chosen solicitor of the city, and continued in the office three years. He was then elected solicitor of Rockingham County, but did not live to enter

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upon the duties of the office. He was an estimable young man, and well prepared for the duties of his profession.

He never married.

CHARLES JAMES FOX.

Son of Jedediah and Mary (Wheeler) Fox; born, Hancock, October 28, 1811; Dartmouth College, 1831; admitted, 1834; practiced, Nashua; died there, February 17, 1846.

Few men in our State have possessed the versatility of powers that characterized this namesake of the great English Whig orator. He prepared himself for his profession at the Yale Law School and in the office of Daniel Abbott at Nashua, and there settled in practice. In 1835 he was appointed solicitor of Hillsborough County; in 1837 he was a representative in the legislature; in 1840 he prepared and nearly completed a history of the old town of Dunstable, published in 1846; in 1841 he was one of the commissioners to revise the statutes of the State, in conjunction with Joel Parker of Keene and Samuel D. Bell of Manchester. This work was completed in the spring of 1843. While he was engaged upon it he was the collaborator of Rev. Samuel Osgood in gathering and preparing for the press the "New Hampshire Book; Specimens of the Literature of the Granite State," issued in 1842.

In August, 1843, he was attacked by pulmonary disease; and sailed the next autumn to the Mediterranean, and traveled through Spain and Egypt, returning home the succeeding spring by way of Italy, Switzerland, France, and England. His travels afforded him no permanent relief. In the following autumn he made another journey in pursuit of health, to the West Indies. He returned to his home in June, 1845, never again to leave it in life. The remaining months he spent in Nashua, gradually sinking, till his decease.

It is seldom that a man leaving the world at the early age of thirty-four has accomplished so much of value. This is attributable not more to his native ability, which was extraordinary, than to his habits of conscientious and persistent industry. As a lawyer, a poet, a historian, and a philanthropist, he was equally untiring in his labors.

He was greatly instrumental in carrying through the project

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for the extension of the Boston and Lowell Railroad into New Hampshire, and was the earliest treasurer of the Nashua and Lowell Railroad. In politics he was an intense partisan from conviction, and a leader of elevated and honorable character. Among his many employments he never neglected the cultivation of his literary taste, nor his religious obligations.

John H. Warland, a political opponent, wrote of him thus: —

"The scholar's brilliant light is dim,
And on his brow death's signet set;
Oh, many an eye that welcomed him
With sorrow's burning tears is wet.
His was a noble heart and true,
His was a strong and gifted mind;
And fame and love around him threw
Their wreaths, with choicest flowers entwined."

Mr. Fox married, in 1840, Catherine P., daughter of Daniel Abbott of Nashua. They had one son.

JOHN HOWE FOX.

Son of Dr. John and Isabel W. (Howe) Fox; born, Jaffrey, June 14, 1856; Dartmouth College, 1878; practiced, Jaffrey; died, Boston, Massachusetts, April 11, 1887.

Mr. Fox was fitted for college at Appleton Academy, New Ipswich. He studied law with F. B. Spalter at Jaffrey, and graduated from the Albany Law School in 1880. About two years he was in practice in East Jaffrey; then he turned his attention to farming in the same place for two or three years. He was a member of the legislature in 1883 and 1885, and a member of the board of supervisors for several years. Having inherited a good property, he gave considerable time to his investments, and was in 1884 chosen president of the Burton Stock Car Company, and of the Consumers' Boot and Shoe Company. His duties required his presence in Boston, where his death occurred.

He married, November 30, 1882, Belle W. Brown of Fitchburg, Massachusetts, who bore him a daughter.

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ASA FREEMAN.

Son of Hon. Jonathan and Sarah (Huntington) Freeman; born, Hanover, January 9, 1788; Dartmouth College, 1810; admitted, 1816; practiced, Dover; died there, December 8, 1867.

Mr. Freeman, upon quitting college, entered the office of his brother, Peyton R. Freeman, in Portsmouth, and there passed two years, and subsequently studied under the direction of Isaac Lyman of York, Maine. He was admitted an attorney in York County, Maine, and practiced there till 1818, when he removed to Dover, his subsequent home.

He was appointed a commissioner of the United States by Judge Story, and was elected a delegate to the constitutional convention in 1850, and a state senator in 1851 and 1852. In June, 1857, he was appointed register of Probate for Strafford County, and retained the position to the time of his decease.

He was an excellent specimen of the old style of lawyers, careful, deliberate, and exact. Without shining talents, he put his respectable powers to the best use. He performed his official duties with regularity and correctness, and was a man of fidelity and integrity.

He married Frances, daughter of Hon. William K. Atkinson, December 1, 1820, and had four children, one of whom was of the legal profession.

EDWARD FREEMAN, JR.

Son of Edward and Elizabeth (Duncan) Freeman; born, Plainfield, June 3, 1823; Dartmouth College, 1843; admitted, 1846; practiced, Marlow; died, Plainfield, April 4, 1888.

Mr. Freeman was fitted for college at the Kimball Union Academy, and pursued his legal studies with Philander C. Freeman of Claremont. Admitted to the bar in the county of Cheshire, he entered upon practice in Marlow in 1846. His experience as a lawyer was short. He remained at Marlow not more than two years, when he returned to Plainfield, and abandoned the law, preferring to cultivate the soil. In this ancient and honorable employment he continued for the rest of his life.

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He was chosen and served as a county commissioner for the term extending from 1865 to 1868.

He never married.

FRANCIS ATKINSON FREEMAN.

Son of Hon. Asa and Frances (Atkinson) Freeman ; born, Dover, November 29, 1822 ; Dartmouth College, 1841 ; practiced, Dover ; died there, November 14, 1884.

Mr. Freeman belonged to a family of lawyers and of public officers. He was a student at law in his father's office, and that of Charles W. Woodman of Dover, and at the Harvard Law School in 1845. In 1847 he began to practice in Boston, Massachusetts, and removed the following year to Murphy, Calaveras County, California. There he remained for above twenty years, a great part of which time he was a Judge of the County Court. About 1872 he returned to Dover.

He was possessed of fine abilities, was a great reader in general literature, and a capital converser on subjects in which he was interested. He was understood also to have been at times a diligent student of the law, having something of the black-letter tastes of his uncle, Peyton R. Freeman of Portsmouth. But a lack of steadiness and of regularity of habits stood in the way of his success, and he never made of himself what nature intended.

He was unmarried.

JAMES OTIS FREEMAN.

Son of Colonel Otis and Ruth (Bicknell) Freeman ; born, Coventry, Connecticut, September 29, 1773 ; Dartmouth College, 1797 ; practiced, Plymouth, Sandwich, and Moultonborough ; died, Moultonborough, March 30, 1815.

This gentleman studied law under Aaron Hutchinson of Lebanon. About the year 1800 he opened his office in Plymouth, but only remained there two or three years, when he transferred his home to Sandwich. There he resided five or six years, and then removed to Moultonborough, where he spent the rest of his life.

He is said to have been, next to Joseph Tilton, the earliest lawyer in that part of Strafford County, which is now Carroll County. Little has been definitely ascertained of his character or standing in the profession. Tradition, however, represents him as

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a man of brilliant promise, "who under more favorable circumstances might have been a great leader in his profession."

He married Susanna, daughter of Ezekiel French, a prominent citizen of Sandwich, and was the father of several children. One of his daughters became the wife of a lawyer, Robert T. Blazo.

PEYTON RANDOLPH FREEMAN.

Son of Hon. Jonathan and Ruth (Huntington) Freeman; born, Hanover, November 14, 1775; Dartmouth College, 1796; practiced, Hanover and Portsmouth; died, Portsmouth, March 27, 1868.

Mr. Freeman studied law with William Gordon of Amherst and Benjamin J. Gilbert of Hanover. From the latter, familiarly known as "Baron" Gilbert, he may have derived his taste for out-of-the-way legal studies. Beginning practice at Hanover, he removed in 1803 to Portsmouth. In 1816 and 1817 he was deputy Secretary of State, and from 1817 to 1821 clerk of the United States District Court. In 1810 he delivered a Fourth of July address, and in 1816 he wrote a pamphlet on the Dartmouth College case, both of which were printed.

He was an able counselor, high-minded, true, faithful, and not afraid of hard work. He was the confidential adviser of many of the leading families of Portsmouth, and in cases involving the title to real property his opinions were received with special respect and confidence. He excelled as a draughtsman of legal instruments; the more complicated they were, the better they suited him. In process of time he became known as a black-letter lawyer, and was resorted to for the solution of questions especially unusual and recondite. In court his practice became confined, in later life, to the argument of complicated questions of law, and of equity cases. As he is now remembered, he appeared more like the typical denizen of the London inns of court of a century ago, than like a modern American lawyer.

He was a bachelor.

PHILANDER CHASE FREEMAN.

Son of Benjamin Freeman; born, Plainfield, August 27, 1807; Kenyon College, 1829; practiced, Claremont; died there, April 20, 1871.

Mr. Freeman pursued his legal studies with J. H. Hubbard at Windsor, Vermont, and for a while afterwards was his partner in

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practice. He came to Claremont in 1835. In 1844 and 1845 he was chosen a representative in the state legislature, and in 1850 a delegate to the convention for revising the Constitution of the State. Upon the establishment of a Police Court in Claremont, he received the appointment of first Justice; and for many years he was the clerk of the Sullivan Railroad Corporation.

His business was quite a considerable one, and his abilities were respectable. He was fair-minded and upright, and a prudent and safe adviser. His docket contained a good number of actions, but in trials of importance he usually employed the aid of some leading counsel. After the death of his last partner, Milon McClure, Mr. Freeman retired from active practice.

He was twice married; first, to Sarah Norton, at Plainfield, April 30, 1838; and second, to Martha Smith Norton at Claremont, June 4, 1846. His first wife bore him two sons.

BENJAMIN BROWN FRENCH.

Son of Hon. Daniel and Mercy (Brown) French; born, Chester, September 4, 1800; admitted, 1825; practiced, Hooksett and Sutton; died, Washington, District of Columbia, August 12, 1870.

Mr. French acquired his education in the public schools of his native town and in the academy at North Yarmouth, Maine, and studied law with his father. He opened his office in Hooksett and then at Sutton, each for a year. Upon being made clerk of the courts in the newly constituted county of Sullivan, he changed his residence to Newport.

He became, in 1829, the editor and proprietor of the "New Hampshire Spectator," published in that place. In 1826 and the two following years he was assistant clerk of the state Senate, and in 1831 and 1832 represented Newport in the legislature. In 1833 he received the appointment of assistant clerk of the United States House of Representatives, and removed to Washington, District of Columbia, ever afterwards his home. In 1845 he was promoted to be chief clerk of the House, during the Twenty-Ninth Congress. He was for a number of years president of the Magnetic Telegraph Company, and at a later period was United States commissioner of public buildings.

Major French, as he was usually styled, was the author of numerous addresses and poetical compositions, one of the more

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extended of which was published in a volume in 1844, entitled "Fitzclarence." He was a gentleman of much humor and a genial companion, and was extremely popular among the members of Congress and the people of Washington during the period of his official service and subsequently. He was an enthusiastic Freemason, and as Grand Master officiated at the laying of the corner-stone of the extension of the capitol in 1851, and on that occasion wielded the gavel which George Washington had used in laying the corner-stone of the original edifice.

Major French's first wife was Elizabeth S., daughter of Chief Justice William M. Richardson of Chester. She bore him two children, of whom one pursued the legal profession. After her death Major French married Mary Ellen Brady of Washington, District of Columbia, who survived him.

BENJAMIN FREDERIC FRENCH.

Son of Frederick and Grace (Blanchard) French ; born, Nashua, October 2, 1791 ; Dartmouth College, 1812 ; practiced, Nashua ; died, Lowell, Massachusetts, May 16, 1853.

Mr. French prepared himself for admission to the bar in the office of Charles H. Atherton of Amherst, and began to practice in Nashua in 1817. He was representative in the General Court in 1825, 1826, and 1829. When the water power of Nashua began to be utilized for manufacturing purposes, and the Jackson Manufacturing Company was formed, in 1831, Mr. French was selected for its first agent. He had no practical acquaintance with the business, but developed just the qualities needed for the management of the establishment, and the fabrics of the Jackson company became very desirable in the market. He was soon after invited to the growing town of Lowell, Massachusetts, to take charge of the Boott mills. After some years' experience there, he entered into the business of banking, which he pursued for the remainder of his life.

Mr. French was not without interest in the important political questions of the time, and is said to have been the author of a work entitled "Views of Slavery."

He married Mary Southgate, daughter of Hon. Joseph Leland of Saco, Maine, November 15, 1819.

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DANIEL FRENCH.

Son of Gould and Dorothy French; born, Epping, February 22, 1769; admitted, 1796; practiced, Deerfield and Chester; died, Chester, October 15, 1840.

Mr. French was educated at the Phillips Exeter Academy, and at Dover under the instruction of Rev. Robert Gray. He studied law in the office of William K. Atkinson of Dover, and immediately on his admission proceeded to Deerfield and practiced at the "Parade" two years. A favorable opening then occurred at Chester, and Mr. French took advantage of it by removing to that place. In 1808 he was appointed county solicitor, and in February, 1812, attorney-general of the State, which office he resigned in 1815. He was commissioned postmaster of Chester in 1807, and retained the place through all the changes of administration till 1839.

Mr. French is described as a lawyer of considerable skill and talent in the management of business, and faithful to his clients. It was charged that he was rather sharp in his practice, a thing not uncommon in his time; but one who encountered him many times in trials and hearings declares that he always found him fair. He was undoubtedly a lawyer of more than ordinary ability and attainments.

He owned lands and was interested in cultivating them, but continued to practice his profession and to attend the courts with regularity till within a few years of his death.

Mr. French's first wife was Mercy, daughter of Benjamin Brown, whom he married September 15, 1799. She died in 1802, and he married Betsey V. M., daughter of Josiah Flagg, June 30, 1805. Upon her decease he married her sister, Sarah W. Flagg (Bell), widow of Jonathan Bell, November 6, 1812. By these several marriages he had eleven children, of whom two were of the legal profession.

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EBENEZER FRENCH.

Son of Josiah and Rhoda (French) French ; born, Kensington, April, 10, 1802 ; Dartmouth College, 1824 ; admitted, 1828 ; practiced, Sutton and Seabrook ; died, Bangor, Maine, January 16, 1868.

The subject of this sketch, upon taking his collegiate degree, entered the office of Daniel French of Chester, and with him and with Joseph Tilton of Exeter read law until 1827, when he went to Sutton as successor to Benjamin B. French. He remained in Sutton but a few months, and then opened an office in Seabrook, and continued in practice about twelve years. He afterwards lived a few years in Amesbury, and then in Boston, Massachusetts, where he held an appointment in the custom house eight years. He finally proceeded to Bangor, Maine, and engaged in business there.

FRANCIS ORMOND FRENCH.

Son of Benjamin B. and Elizabeth S. (Richardson) French ; born, Chester, September 12, 1837 ; Harvard College, 1857 ; admitted, 1860 ; practiced, Exeter ; died, Tuxedo, New York, February 26, 1893.

Mr. French was a practicing lawyer only about two years, and all in New Hampshire. He was prepared for college at the Phillips Exeter Academy, and took his course of legal study at the Harvard Law School, receiving the degree of Bachelor of Laws in 1859. In 1860 he became the partner in practice of Amos Tuck at Exeter. Mr. Tuck became naval officer of the port of Boston, Massachusetts, in 1861, and Mr. French was appointed his deputy the year following, and deputy collector in 1863. In 1865 he entered the banking firm of Samuel A. Way, in the same city. Thence in 1870 he removed to New York and became a partner of Jay Cooke and Company. In 1874 he acquired a valuable interest in the First National Bank of New York, which was largely concerned in the operations of funding the United States loans. This probably laid the foundation of Mr. French's large fortune. He retired from business in 1880, but in 1888 accepted the presidency of the Manhattan Trust Company, for two or three years.

He was distinguished in college for his mathematical faculty,

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to which he probably owed much of his success in his business operations in later life. He was extremely systematic, and always kept thoroughly conversant with all the details of every undertaking with which he was concerned.

He inherited a taste for literature, and was the poet of his college class. He was liberal, polite, and well-informed; he had traveled much, and was an accomplished man of the world.

He was united in marriage, in 1861, to Ellen, daughter of Hon. Amos Tuck of Exeter, and left three children.

GEORGE ATHERTON FRENCH.

Son of Ralph H. and Elizabeth W. (Atherton) French; born, Marblehead, Massachusetts, January 17, 1823; practiced, Manchester; died, Bangor, Maine, October 27, 1886.

Mr. French, a grandson of Joshua Atherton of Amherst, was educated in the public schools of Salem, Massachusetts, and took his degree of Bachelor of Laws from the Harvard Law School in 1843. He practiced three years in Milwaukee, Wisconsin, and then came in 1847 to Manchester. He gave his attention to his profession, there, until about the year 1865, when he abandoned legal business and became a traveling agent and adjuster for various insurance companies. He was remarkably expert and successful, being aided, no doubt, by his familiarity with legal principles. His death occurred while he was absent on a tour of business.

His wife was Louise M. Fabens. They were married September 21, 1853, and had one daughter.

HENRY FLAGG FRENCH.

Son of Hon. Daniel and Sarah W. (Flagg) Bell French; born, Chester, August 14, 1813; admitted, 1835; practiced, Chester, Portsmouth, and Exeter; died, Concord, Massachusetts, November 29, 1885.

Mr. French was educated at the academies in Derry and Pembroke, and at Hingham, Massachusetts. He prepared himself for the bar in his father's office in Chester, and at the Harvard Law School. He practiced law in Chester till 1840, and then removed to Portsmouth, but after a year changed his residence to Exeter. He held the appointment of county solicitor from 1838

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to 1848, and that of bank commissioner from 1848 to 1852. In 1855, on the creation of the state Court of Common Pleas, he was commissioned a Justice thereof, and served until the abolition of the court in 1859. He then removed to Massachusetts. From 1862 to 1865 he was assistant district attorney for the county of Suffolk, and then for a year president of the Massachusetts Agricultural College. From 1876 to 1885 he was second assistant secretary of the United States Treasury at Washington.

He returned in impaired health to Concord, Massachusetts, where he remained until his decease.

Judge French was a man of ability and sense, of great readiness, and superior professional attainments. His knowledge was always at his tongue's end. It was said of him that his opinion given at sight was as much to be relied upon as if he had taken days for consideration. He was prompt in all his business methods. While he occupied the bench, he never left questions over to be decided in vacation, but had every transfer drawn out, submitted to counsel, and settled, before the term ended. His sense of humor was keen, and he uttered many a bright saying to enliven the tedium of long trials. He never lost his balance, whatever happened. On one occasion, in a hearing before a jury, his opponent introduced a crushing piece of evidence. With perfect presence of mind Judge French turned to his associate counsel and in a whisper inquired, "Had we better be surprised?"

All his life long Judge French manifested his fondness for the cultivation of the soil. He traveled in Europe for a year on an agricultural mission, and communicated the results of his observations in addresses, letters to the "New England Farmer," and in a volume which he published on Farm Drainage.

He was a man of amiable disposition and even temper, and fulfilled his public and private duties with equal fidelity.

His first wife was Anne, daughter of Chief Justice Richardson of Chester. They had four children, two sons and two daughters. His second wife was Pamela M., daughter of John Prentiss of Keene.

PETER FRENCH.

Son of Moses French; born, Sandown, 1759; Harvard College, 1781; practiced, Durham; died, Berwick, Maine, June 14, 1785.

Mr. French's father is said to have been one of the leaders of the insurrection fomented with the purpose of dragooning the legis-

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lature of New Hampshire into the issue of a legal tender paper currency, while in session in Exeter in September, 1786. His son manifested eccentricity of character while in college, and after taking his degree was in a quandary which of "the three black graces — law, physic, and divinity," he should elect. He chose the last, and it is said even became a preacher, but soon renounced that profession for the law. He studied at Durham, in the office of General John Sullivan, was admitted and practiced for a little time in New Hampshire, and then removed to Maine, where his life terminated.

It was from Mr. French that Dr. Jeremy Belknap, while he was writing his History of New Hampshire, received the amplified account of "the Devil's den" in Chester, as published in his third volume. This cave is in fact a mere rift or fissure in a rocky hillside, through which a man can barely squeeze himself, and contains none of the lofty apartments which the good doctor was hoaxed into describing.

Mr. French's character was summed up in the following notice, written by one of his classmates, and published in the "Political Repository and Strafford Recorder," June 30, 1791: "His temper and disposition no man could comprehend. Good and bad were so blended; the shades of virtue and vice so nicely intermixed; principle and practice so often at war; possessed as he was of great self-command, he appeared alternately an angel or a demon."

SCOTT FRENCH.

Son of Abraham and Frances (Huston) French; born, Pittsfield, December 8, 1838; Dartmouth College, 1859; practiced, Pittsfield; died there, October 30, 1863.

This young man, who died at the age of twenty-four, had scarcely set out upon the professional career in which his friends hoped for him a marked success. On leaving college he was the principal of the Pittsfield Academy for above a year, and then studied law with George, Foster, and Sanborn of Concord, and at the Harvard Law School in 1861 and 1862. He was in practice only a little over a year, when the end came.

He was married, January 15, 1862, to Abbie, daughter of Dr. R. J. P. Tenney of Pittsfield.

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SAMUEL WORCESTER FULLER.

Son of Francis E. and Martha (Worcester) Fuller; born, Hardwick, Vermont, April 25, 1822; admitted, 1849; practiced, Claremont; died, Chicago, Illinois, October 25, 1873.

This descendant of Noah Worcester of Hollis was educated at the academy in St. Johnsbury, Vermont, and studied his profession with Philander C. Freeman in Claremont. He engaged in practice in that town, immediately after his admission, and spent about three years there, giving decided promise of the prominence which he subsequently attained. From Claremont he proceeded in 1852 to Pekin, Illinois, and from Pekin in 1856 to Chicago in the same State. In the seventeen years which intervened between his arrival in Chicago and his decease, he gained a very large practice both in the Supreme Court of Illinois and in that of the United States. The judges of the latter tribunal bore the highest testimony to his ability and learning. Justice Miller declared that "no abler man came before us," and Justice Field, that "no man instructed the Court more."

He was a member of the Illinois Senate from 1857 to 1860, but his health was so delicate that he had no strength for work or business outside of his profession.

The maiden name of his wife was Lavinia Culver. She died childless, September 4, 1889.

TIMOTHY P. FULLER.

This gentleman was a resident and presumably a native of Hardwick, Vermont. He was a lawyer of note in that town, had represented it in the legislature in 1823, 1824, and 1834, had been a delegate to the constitutional convention of Vermont in 1828, and an assistant Justice of the court of the county of Caledonia in 1823, 1826, 1831, and 1834. He came to Hancock, in this State, to reside, not far from the year 1850, and was the last of the three lawyers who have settled in Hancock. He was somewhat advanced in years, and probably neither expected nor desired much practice. Both he and his wife died there, in 1854.

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LUCIAN GALE.

Son of Stephen Gale ; born, Meredith, May 25, 1818 ; Dartmouth College, 1844 ; practiced, Laconia ; died there, April 13, 1878.

Adventurous, and probably not easy of control, the subject of this notice, while a lad, ran away from his home and went to sea. His voyage took him to New Orleans, and thence he went up the Mississippi on a steamboat, and returned home after a year's absence.

He studied diligently in college to make up for the deficiencies of his preparation, and then fitted himself for the bar in the office of Stephen C. Lyford of Meredith. He began his professional life in Boston, Massachusetts. After the delays common to young practitioners, he became interested in one or more suits involving the title to a large amount of real property, and turning upon a nice question which he believed was settled in his favor in the English tribunals. But after long and anxious waiting the court in Massachusetts determined the question against him. His disappointment appears to have completely unsettled him. He quitted Boston, and sought for practice in New York city and in Chicago, Illinois, each awhile, but without success, and about 1860 returned to New Hampshire, and settled in Laconia.

The habits that he acquired in his early wandering life grew upon him, and at last stifled his ambition and powers of usefulness.

February 10, 1853, he was married to Sarah E., daughter of Alexander S. Chadbourne of Farmingdale, Maine.

ALEXANDER GARDINER.

Son of James and Emeline (Grahame) Gardiner ; born, Catskill, New York, July 27, 1833 ; admitted, 1856 ; practiced, Claremont ; died, Winchester, Virginia, October 8, 1864.

Mr. Gardiner was educated in this State, at the Kimball Union Academy in Plainfield, studied his profession in the city of New York in the office of Shea and Richardson, and was there admitted an attorney. He went soon afterwards to Kansas, then the theatre of bitter strife between the abettors and opponents of negro slavery, and spent two years there. He is said to have

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taken the first printing-press thither, which was afterwards destroyed by the "border ruffians," and he bore an active part in the struggle for human freedom in that Territory.

In the spring of 1859 he came to Claremont, and engaged in the business of the law in company with Edwin Vaughan. Soon the great Rebellion took his interest from his profession, and in the summer of 1862 he busied himself in recruiting men for the military service. He was commissioned lieutenant and adjutant of the Fourteenth New Hampshire Volunteers. He manifested such soldierly qualities that in 1863 he was promoted to the majority, and a year later to the colonelcy of the regiment. The very day after he was mustered under the latter commission occurred the battle of Winchester, in which his command bore a conspicuous part and lost heavily. Among the mortally wounded was the colonel.

He was an admirable officer, fully conversant with his duties, and holding his command up to the highest condition of efficiency. He never courted popularity, but by his ability, his courage, his careful attention to duty, and his devotion to the welfare of his regiment, he won the respect of all.

He was married, November 17, 1859, to Mary P., daughter of Hon. Samuel P. Cooper of Croydon. They had a son and a daughter.

FRANCIS GARDNER.

Son of Rev. Francis Gardner ; born, Leominster, Massachusetts, December 27, 1771 ; Harvard College, 1793 ; practiced, Walpole and Keene ; died, Roxbury, Massachusetts, June 25, 1835.

Mr. Gardner was admitted an attorney of the Court of Common Pleas in Cheshire County in 1796, and went at once to Walpole to commence practice. He stayed there twenty years, and then removed to Keene, where he passed about five years, and finally took up his residence near Boston, Massachusetts.

He was a lawyer of prominence, and possessed competent professional learning, but is said by reason of some eccentricities not to have been very successful in attracting business or popularity. He was elected a member of Congress one term, from 1807 to 1809, and though it is stated that he offended his party by his independence, he only shared the fate of the remainder of the

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state delegation in not being reëlected. In 1807 he assumed the position of solicitor of Cheshire County, and retained it by successive appointments until 1820, administering the office with honesty and ability.

Mr. Gardner was not fortunate in the acquisition of property. At his death he committed his wife and daughters to the care of his son, Francis, who had hoped to follow the profession of his father, but changed his plans of life on assuming this sacred charge, and became afterwards widely known as the master of the Boston Latin School.

Mr. Gardner married Margaret Leonard of West Springfield, Massachusetts, November 1, 1804. They had four children.

ISAAC GATES.

Born, Charlestown (?), Massachusetts, May 7, 1777 ; Harvard College, 1802 ; admitted, 1808 ; practiced, Concord and Goffstown ; died, Harvard, Massachusetts, November 9, 1852.

Mr. Gates was admitted to the bar in Cumberland County, Maine, and began to practice in Brunswick in that State, in 1808. In 1813 he came to Concord, and remained there till some time in the following year, when he went to Goffstown, for a year or two only. He subsequently practiced in Lynn, and finally in Harvard, Massachusetts.

In July, 1814, he delivered an oration before the Washington Benevolent Society of Bradford, which was published.

His wife was Miss Bullen of Concord.

JAMES MADISON GATES.

Son of Abel and Mary (Chase) Gates ; born, Cornish, October 30, 1808 ; practiced, Claremont ; died there, April 8, 1854.

Mr. Gates is understood not to have received a collegiate education. His profession he studied at Cavendish, Vermont, with Judge Ely, it is believed. In the village of Proctorsville, in that town, he passed his first year of practice, and then, about 1835, changed his domicile to Claremont. In 1846 and 1847 he was chosen a representative in the legislature. Though he enjoyed a fair amount of practice, he is said to have been somewhat indolent, and not a thorough student of his profession. His habits in

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other respects were unimpeachable, and his native powers were such that, when roused, he manifested no small ability as an advocate.

He married Lestina Maria Seward, October 10, 1835, and had four children, three of whom are still living.

JOHN HATCH GEORGE.

Son of John and Mary (Hatch) George ; born, Concord, November 20, 1824 ; Dartmouth College, 1844 ; practiced, Concord ; died there, February 5, 1888.

Mr. George's collegiate course was cut short in his junior year on account of the death of his father, but he was afterwards given his degree, as well as that of honorary A. M. He fitted himself for his profession with Franklin Pierce of Concord, whose extraordinary success as an advocate probably had no little weight in stimulating his student's ambition to excel in the same direction. He commenced to practice in Concord in 1846, and began to be known as an ardent politician at the same time. He was chosen clerk of the state Senate in 1847, 1848, and 1850, and solicitor of Merrimac County in 1849, for five years. From 1853 to 1858 he was United States attorney for the district of New Hampshire. Four years he was chairman of the Democratic committee of the State ; a member of the national Democratic committee from 1852 to 1856 ; a delegate to the Democratic national conventions of 1856 and 1880, and thrice a candidate of his party for Congress. That he did not hold other and higher public offices was due to the fact that his party had fallen into the minority. From the beginning of his professional life he made frequent appearance before the public, in speeches from the platform, and in the court-room. His qualifications were peculiarly high. His subject was always well mastered, though he rarely wrote out any part of his discourse. His ideas were so clarified that his words unstudied gave them best expression, and his command of language was varied and abundant. He comprehended human nature, and adapted his utterances to the understanding and feelings of his hearers. He was thoroughly in earnest, and never beat about the bush, but came at once to the heart of his subject. His style was forcible and not seldom brusque. He was logical, humorous, satirical, denunciatory, as each best suited

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his end. As a political debater and as a legal advocate, he was one of the most interesting and effective in the State.

His law practice, especially in the early half of his professional career, consisted very largely in the trial of contested cases, civil and criminal. He had a sufficient acquaintance with legal principles, though he was no great student of books. The constitution of the man would never permit him to apply his mind to questions of executory devises and contingent remainders. He needed living issues to awaken his interest. In the application of the rules of the law to his facts, however, he had remarkable skill and judgment.

It was in the court-room that he exhibited his best powers. Vigorous in body and mind, every faculty he possessed was at the service of his client. His zeal fairly permeated every fibre of his being, as if it were an electric current. His examination of witnesses was searching, and his cross-examination often most effective. By his art — without overstepping the rules of evidence — of coloring the impressions given to the jury, and by his adroitness and alertness in always upholding the equities of his client's cause, it has been estimated that he gained an advantage in jury trials quite equal to five per cent.

Colonel George (his title was derived from his being chief of the military staff of the governor) began his connection with railway matters in 1847. He was clerk and counsel of the Concord Railroad for twenty years. In 1867 he received the appointment of solicitor of the Boston and Lowell Railroad, which terminated only a year before his decease. He thus became familiar not only with the details of railway administration, in the frequent suits that demanded his attention, but also with the broader questions of expediency and public need, which in his later life often formed the subject of his appeals to legislative and municipal commissions. It may truly be said that upon all points pertaining to the railway system of the section in which he lived, both as to the tactics and the strategy of the subject, no man was better equipped than he. In 1870 he delivered an address upon "Railroads and their Management."

Several of his speeches were published, all characterized by his direct, incisive style: one before the Bar Association of the Northern Counties; another on the anniversary of the birth of Daniel Webster; others, arguments in legal cases.

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Colonel George was one of the leading men of the State for more than a quarter of a century, in the bar, in politics, and in railway matters. Perhaps no name in New Hampshire was better known than his. Although he was a hard fighter, always calling things by their plain names, and never sparing an opponent in the open field, yet there was no malice in his composition. All liked him. He was blunt but honest, rough but kind-hearted, and he was incapable of a treacherous or a mean action. Every one had confidence in his integrity and right intentions. He was genial, public-spirited, always ready to help a friend. His death was felt as a serious loss to the community.

Colonel George was united in marriage, in September, 1849, to Susan Ann, daughter of Captain Levi Brigham of Boston, Massachusetts. After her death he married, in July, 1864, Salvadora M., daughter of Colonel James D. Graham, U. S. A. By his first marriage he had four sons and three daughters; by his second, a daughter. His eldest son is a lawyer.

BENJAMIN JOSEPH GILBERT.

Son of Colonel Joseph and Hannah (Wheat) Gilbert; born, (North) Brookfield, Massachusetts, October 5, 1764; Yale College, 1786; admitted, 1789; practiced, Hanover; died, Boston, Massachusetts, December 30, 1849.

Mr. Gilbert studied his profession with Dwight Foster in his native town. He established himself as a practitioner in Hanover before 1794. He was appointed county solicitor in 1799; elected a representative in the state legislature in 1800 and 1801, a member of the executive council in 1809 and 1810, and representative again in 1817 and 1818. When the controversies respecting Dartmouth College arose, Mr. Gilbert was interested against the Wheelock party, and in behalf of the old college as opposed to the new university. He, in connection with two others, as a committee of the Congregational Church in Hanover, issued, in 1815, a pamphlet entitled, "A True and Concise Narrative of the Origin and Progress of the Church Difficulties in the Vicinity of Dartmouth College in Hanover."

An accident which occurred to Mr. Gilbert rendered him nearly deaf, which was a serious obstacle to the pursuit of his profession. He is represented as having been the best lawyer in Hanover, of his time, and was commonly called *Baron* Gilbert, as well on

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account of his superior legal knowledge, as of his loud voice and slightly pompous manner. His business fell off in consequence of his difficulty of hearing, and in 1824 his wife inherited a plantation and considerable property from her brother who died unmarried in Richmond, Virginia. Thereupon Mr. Gilbert removed his residence to Boston, Massachusetts, and employed his time the remainder of his life in looking after the newly acquired property.

While in the practice of his profession he is said to have gained the popular designation of "the honest lawyer." Among his personal friends and correspondents may be enumerated Daniel Webster, Jeremiah Mason, Jeremiah Smith, and Abiel Foster. In the year 1847, in a speech on occasion of the opening of the Northern Railroad in New Hampshire, Mr. Webster referred to Mr. Gilbert in these terms: "The granting of the charter of the Fourth turnpike, which led from Lebanon to Boscawen, was regarded as a wonderful era. The champion in the legislature of this great enterprise was Benjamin J. Gilbert, then a lawyer at Hanover, always a most amiable and excellent man, and now enjoying a healthful old age in the city of Boston. I think he is eighty-four years old. He is well known to the elder inhabitants of this county, and I am glad of this opportunity to allude to him as a highly valued friend of long standing."

Mr. Gilbert married Sally Shepard of Boston, Massachusetts, August 2, 1796, and was the father of five children.

DANIEL GILBERT.

Son of Colonel Joseph and Hannah (Wheat) Gilbert; born, (North) Brookfield, Massachusetts, September 7, 1773; Dartmouth College, 1796; admitted, 1799; practiced, Enfield and Lebanon; died, North Brookfield, Massachusetts, March 11, 1851.

This was a younger brother of Benjamin J. Gilbert of Hanover, with whom he studied his profession. He is said to have first opened his office in Enfield. He could have made but a short stay there before his removal to Lebanon, where he was between 1800 and 1805. He probably returned to Massachusetts in the latter year, the date of his admission to the bar there, and entered upon the practice of law in (North) Brookfield, together with the management of a large and valuable farm which came to him by

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inheritance. He is represented as a good counselor, and had a respectable standing in the profession. For many years before his decease, he had withdrawn from active engagements in the courts, on account of the infirmity of deafness.

He married Mary, daughter of Captain Joseph Waters of Salem, Massachusetts, May 6, 1806.

CHARLES GILMAN.

Son of Bradbury and Hannah (Gilman) Gilman; born, Meredith, December 14, 1793; practiced, Sanbornton; died, Baltimore, Maryland, September 9, 1861.

This gentleman entered the Phillips Exeter Academy in 1813, and studied law in the office of Matthew Perkins, in Sanbornton. In that town he first established himself as a lawyer, in 1826, and remained about seven years. He made no special figure in his profession, so far as is learned, but was known as "something of a man," and a zealous Freemason.

In 1833 he removed his residence to Baltimore, Maryland. There he practiced his profession, and was advanced to the office of Grand Master of Masons in Maryland, and Recorder of the General Grand Encampment of the United States.

In 1849 he became one of the numerous pilgrims to the newly acquired Eldorado of California, and unlike many others of that company, succeeded in the acquisition of a fortune there. In 1856 he returned to Baltimore, and afterwards served as General Grand High Priest of the G. G. Chapter of the United States.

Mr. Gilman was married, first, to Martha Hilliard; second, to Ruth P. Morse, December 1, 1830; third, to Catherine Blanchard, June 3, 1852. His last wife and one daughter survived him.

SAMUEL TAYLOR GILMAN.

Son of Hon. Nathaniel and Dorothea (Folsom) Gilman; born, Exeter, May 7, 1801; Harvard College, 1819; admitted, 1823; practiced, Exeter; died there, January 23, 1835.

From ten to fourteen years of age young Gilman was a student of Phillips Exeter Academy, and at eighteen an instructor therein. He pursued his law studies with Jeremiah Smith and George Sul-

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livan in his native town, and there opened his office in 1823. His superior talents and amiable character gave him universal popularity. He was chosen to deliver a Fourth of July oration before the inhabitants of the town, and an address before the Rockingham Agricultural Society, both of which gained him much credit. In 1829 he was elected a representative in the General Court.

In the midst of prospects the most bright and flattering he was attacked by symptoms of pulmonary disease. All was done that affection, and skill, and care could do to stay the progress of the dread malady, but in vain. At the age of thirty-four his earthly life came to an end. He was unmarried.

IRA GOODALL.

Son of Rev. David and Elizabeth (Brigham) Goodall ; born, Halifax, Vermont, August 1, 1788 ; admitted, 1814 ; practiced, Bath ; died, Beloit, Wisconsin, March 3, 1868.

The schools of Littleton furnished young Goodall the means of education, and at the age of twenty-one years he became a law student in the office of Moses P. Payson of Bath. He adopted that town as his home, and practiced law there nearly half a century. He was not distinguished as an advocate, but rather as a business lawyer. For many years his practice was very extensive, and he is said to have entered more actions in court than any other lawyer in the State.

Mr. Goodall, however, did not confine himself to the business of the law. He became interested in trade, with various partners and in several places. As might have been expected, he met with many losses, through fires and incapable or dishonest agents. He also took part in railroad schemes, none of which proved successful. The result was that he dissipated the property which he had acquired by his law practice, and became embarrassed.

He left the State in 1856, and removed to Beloit, Wisconsin. In his later years his mental powers failed to such an extent that he ended his life in an insane asylum.

He is said to have been a strong man in his palmy days, and with some defects to have had many excellent qualities. He served as a representative in the legislature, and about 1848 was president of the White Mountain Railroad.

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His wife was Hannah Hutchins of Bath, and they had several children, one of whom entered the legal profession.

CHARLES BISHOP GOODRICH, LL. D.

Son of Josiah and Lucy (Bishop) Goodrich; born, Enfield, March 26, 1804; Dartmouth College, 1822; practiced, Lebanon and Portsmouth; died, Boston, Massachusetts, June 17, 1878.

This distinguished jurist studied his profession with Levi Woodbury at Portsmouth. Upon his admission he opened an office for a short time in Lebanon, but having an ambition for a wider field, soon betook himself to Portsmouth, where he secured in a short time a good position. In 1832 he was chosen one of the representatives to the state legislature; and this it is believed was his only political preferment. Though he held well-grounded opinions upon political questions, the law was his first choice, and he had no disposition to give it a mere divided allegiance.

He resided in Portsmouth ten or twelve years, and won the reputation of being a lawyer of the first class. The only criticism known to have been made upon him by those qualified to judge is that he was somewhat lacking in the ability to apply the law to the facts; in other words, that his knowledge, which was admittedly very extensive, was rather theoretical than practical. He rather avoided the contests of jury trials, for which he had no special inclination, and preferred chamber practice and hearings in banc, where undoubtedly his chief strength lay.

A large city promised the best and indeed the only adequate employment for talents and acquirements like his, and he quitted Portsmouth for Boston, Massachusetts. There his standing was already well known, and he was welcomed at once into the ranks of the leading members of the bar. He was always a diligent student, and made himself familiar with every branch of jurisprudence. Upon constitutional law he was regarded as a high authority, and in 1853 he was employed to deliver a course of lectures before the Lowell Institute, which he afterwards published in a volume entitled "The Science of Government as exhibited in the Institutions of the United States of America."

Though lacking the popular qualities of the forum, he was an able logician, and his arguments by their power and weight commanded admiration and respect. It has been said that after two

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or three exceptions, he was regarded as second to none of the eminent lawyers of the Suffolk bar, and that he was the next prominent candidate for a seat upon the Supreme Bench of the United States when Benjamin R. Curtis received the appointment.

In private life Mr. Goodrich was genial, warm-hearted, and generous. His death was a sore blow to his numerous friends, and a serious loss to the profession which he had done so much to adorn, and no act to discredit.

He was married, March 19, 1827, to Harriet N., daughter of Chester Shattuck of Portsmouth. She survived him.

MOSES BRADBURY GOODWIN.

Son of Nathan and Joanna (Bradbury) Goodwin; born, Buxton, Maine, April 6, 1819; Bowdoin College, 1845; practiced, Meredith and Franklin; died, Franklin, September 7, 1882.

Mr. Goodwin throughout his life manifested more liking for literary than for legal pursuits. He studied his profession in Maine, and came to Meredith to practice about 1850, but in two or three years removed to Franklin. There he was for some time employed by Kendall O. Peabody in his business of paper manufacturing. About the year 1860 Mr. Goodwin proceeded to Washington, District of Columbia, and occupied a position as assistant librarian. Having a strong proclivity in the direction of journalism, he formed an editorial connection with the "National Intelligencer," and subsequently became a correspondent of some newspapers in New Hampshire. He was a ready and interesting writer.

For several years he held a clerkship in the War Department. He employed his leisure in compiling a full history of education in the District of Columbia.

In 1871 he was induced by the illness of his wife to return to Franklin. The succeeding year he was engaged in establishing a new weekly paper there, the "Merrimac Journal." He was connected with it two years, and made it bright and interesting by the various productions of his pen. In 1874 he sold out his interest, and afterwards lived quietly in the town, contributing occasionally to the press, until his life was terminated by consumption.

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His wife was Sarah B., daughter of Kendall O. Peabody of Franklin. They had four daughters.

WILLIAM FREDERICK GOODWIN.

Son of Nathan and Joanna (Bradbury) Goodwin ; born, Limington, Maine, September 22, 1823 ; Bowdoin College, 1848 ; practiced, Concord ; died there, March 12, 1872.

Mr. Goodwin was more noted in other fields than in the vocation for which he originally prepared himself. After leaving college he was for some time engaged in teaching in Missouri and elsewhere, while at the same time he gave his leisure hours to legal studies. In 1854 he graduated from the Harvard Law School with the degree of LL. B. About 1855 he opened an office in Concord, and after a residence of five years went to La Crosse, Wisconsin, to continue practice there. The opening of the war of the Rebellion brought him back to New England, and he sought and obtained the commission of first lieutenant in the regular army. He performed his duties in the field with credit, and at the battle of Chickamauga received a wound which subsequently caused him to be placed on the retired list for disability. For his gallant conduct in that engagement he was brevetted captain, and was retired in 1865.

He was long interested in historical and antiquarian subjects, and was actively connected with the New Hampshire Historical Society as recording secretary from 1859 to 1862, and as librarian from 1860 to 1867. He was a diligent collector of books and manuscripts bearing upon his favorite studies, and gathered a library of no inconsiderable value. He was fond of writing on historical questions, and, entertaining very decided opinions, was apt to express them with much positiveness. He published many articles of a controversial character in newspapers and periodicals, and contributed a good deal for the "Historical Magazine." He also compiled and published in 1871 a volume of "Records of the Proprietors of Narragansett Township No. 1, now the town of Buxton, Maine."

He was married, September 7, 1854, to Ellen Noyes, daughter of Kendall O. Peabody of Franklin. She bore him one daughter, who died in infancy, and was followed by her mother January 28, 1859.

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WILLIAM GORDON.

Son of Captain William Gordon; born, Boston, Massachusetts, 1763; Harvard College, 1779; practiced, Amherst; died, Boston, Massachusetts, May 8, 1802.

Of this gentleman, all the accounts received, from whatever source, are most laudatory. He studied his profession with Joshua Atherton of Amherst, and began to practice there in 1787. In February, 1793, he was appointed register of Probate; he served as state senator in 1794 and 1795, and as solicitor of the county from 1794 to 1801; in 1797 he became a representative in Congress, and retained his seat three years, until his resignation; and in June, 1801, he was commissioned attorney-general, and so remained up to the time of his death. These continuous and manifold public employments prove his high deserts in the opinion of the people, and of the appointing authorities.

He was possessed of very superior intellectual powers, of ample legal learning, and of every qualification for holding a leading station at the bar. Of upright and independent spirit, above petty prejudices, correct in his life, warm in his friendships, and true to his convictions, his early death was lamented by all as a real loss to the bar and to the public.

His wife was Frances, daughter of Hon. Joshua Atherton of Amherst. They had one son, who bore his father's name and followed his profession.

WILLIAM GORDON.

Son of Hon. William and Frances (Atherton) Gordon; born, Amherst, February 25, 1788; Harvard College, 1806; admitted, 1809; practiced, Peterborough, Keene, Walpole, and Charlestown; died, Brattleborough, Vermont, January 12, 1871.

Mr. Gordon was fitted for college at the Phillips Exeter Academy, and for the bar in the office of his uncle, Charles H. Atherton of Amherst. He began his professional life in Peterborough; removed to Keene about 1812, to Walpole about 1817, and to Charlestown about 1820. With all his advantages of birth and education, a fine person, elegant manners, a good knowledge of the law and of letters, he made little figure as a prac-

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titioner. He was thought to be proud and distant, and country clients were shy of approaching him. During the latter half of his life he did not assume to practice. He is remembered as a good converser, familiar with the literature of the day, and interested in current politics, and a courtly gentleman of the old school of manners.

His pluck and presence of mind at the age of seventy-five deserve mention. A party of young men and girls were skating on the Connecticut on a winter's day, when one of the latter ventured upon a weak spot in the ice, which gave way and instantly submerged her. Her companions were powerless to aid her, when Mr. Gordon, who happened to be near, sprang at once to her relief. He plunged without hesitation into the icy stream, dragged out the helpless girl, and landed her safely on the shore.

In the latter part of his life Mr. Gordon was subject to occasional periods of mental disturbance, and was from time to time an inmate of the asylum at Concord, and at Brattleborough, where his death took place.

He never married.

CHARLES FREDERICK GOVE.

Son of Dr. Jonathan and Polly (Dow) Gove; born, Goffstown, May 13, 1793; Dartmouth College, 1817; admitted, 1820; practiced, Goffstown and Nashua; died, Nashua, October 21, 1859.

Mr. Gove began his law studies with Josiah Forsaith of Goffstown, and was graduated LL. B. from the Harvard Law School in 1820. He began to practice in Goffstown, and soon gained prominence professionally and politically. In 1829 he was assistant clerk of the state House of Representatives; in 1830 and the four following years he was a member of the same body; in 1835 he was a state senator and president of the Senate; from 1834 to 1837 he was solicitor of Hillsborough County; from 1837 to 1842 attorney-general of the State; and from 1842 to 1848 Circuit Judge of the Court of Common Pleas. He removed to Nashua in 1839, and in 1848 he became superintendent of the Nashua and Lowell Railroad, which office he held till his death.

He was endowed with uncommon intellectual faculties and executive force, and was a lawyer of learning and ability, but his physical powers were slender, and he was nervous and irritable to

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an extent that sometimes impaired his usefulness. While he was holding a court in one of the northern counties, he was much annoyed by the coughing that proceeded from some of the spectators. He referred to it again and again, with increasing asperity, until at length he directed the sheriff to remove the next man who coughed from the court-room. As might be expected, this peremptory order had a marvelous effect in stilling the audience. That evening a stranger appeared at the village hotel, afflicted with an incessant cough. "I can tell you how you can cure that," said a bystander; "you just go down to the court house, and there is a little wizened-faced judge there who 'll put a stop to that cough of yours in less than five minutes, — a sure cure!"

Judge Gove joined to his ability and learning, complete honesty and much independence. He was highly conscientious and, sensible that his feelings sometimes prompted him to swerve a little from the perpendicular, he strove to correct the variation as best he could. Of two legal firms who frequently appeared in his court, it used to be said that if he leaned in favor of one, at one term, he would endeavor to make it up by befriending the other at the next. On the whole, however, in spite of his idiosyncrasy, it must be admitted that Judge Gove left behind him a most creditable record of efficiency and useful service.

He married Mary K., daughter of Ziba Gay of Nashua, September 22, 1844. He left no children.

JESSE AUGUSTUS GOVE.

Son of Squire and Dolly (Atwood) Gove; born, Weare, December 5, 1824; admitted, 1851; practiced, Concord; killed, Gaines' Mill, Virginia, June 27, 1862.

Mr. Gove was educated at the Norwich University, Vermont, and served as a lieutenant in the Ninth Regiment of United States Infantry in the Mexican war. He studied law with Pierce and Minot of Concord, and was admitted to practice in Merrimac County. From 1850 to 1855 he was deputy Secretary of State, and then, having a decidedly military taste, was commissioned a captain in the regular army. He was stationed in Utah until the great civil war opened, when he was put in command of the Twenty-Second Regiment of Massachusetts Volunteers. He took part in the engagements in Virginia under McClellan, until the battle in which he received his fatal wound.

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He was a brave and accomplished soldier, and a man greatly esteemed.

His wife was Maria L., daughter of Robert Sherburn of Concord. They had two children.

JOHN GOVE.

Son of Dr. Jonathan and Mary (Hubbard) Gove ; born, New Boston, February 17, 1771 ; Dartmouth College, 1793 ; practiced, Goffstown ; died, Chillicothe, Ohio, 1802.

Mr. Gove studied his profession with William Gordon of Amherst, and was admitted an attorney in 1796. He was the first lawyer to settle in Goffstown, and remained there from 1797 till 1802, when he left under a cloud, it is said, and removed to Chillicothe, Ohio.

He never married.

GILBERT A. GRANT.

This gentleman, understood to have been a native and a member of the bar of Vermont, came to Newmarket in 1842, and practiced there about three years. He was a bright man, full of humor, and famous for his stories, which he told with an inimitable Yankee drawl and accent. He had no great success in the law, and removed soon to Brooklyn, New York, and thence to California, where he was elected to the state Senate, and lived but a few years.

His wife, whose maiden name was Aiken, died while he lived in Newmarket, leaving him with a young daughter.

STEPHEN GRANT.

Son of Michael and Phebe (Wyman) Grant ; born, Alstead, 1775 ; Dartmouth College, 1800 ; admitted, 1803 (?) ; practiced, Plymouth, Sandwich, and Sanbornton ; died, Plymouth, August 1, 1845.

This was one of those eccentrics whom no description can describe ; they must be known to be appreciated. He was "a fellow of infinite humor," whose droll and extravagant sayings raised many a laugh among his contemporaries, though they seem comparatively tame and lifeless when reduced to the chilling medium of print.

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Mr. Grant was in college with Daniel Webster. Occasionally some good-humored banter passed between them, a bit of which has been handed down by tradition. Grant was hopelessly cross-eyed, and Webster's complexion, according to General Stark, could hardly be darkened by gunpowder. "Do you see straight to-day?" asked Webster of Grant. "Yes; I believe I can tell a white man from a negro," was the reply. "I think your sight is improving, then," was Webster's retort.

Years after they left college, they met at some festive gathering of the bar. When the hour for merriment had arrived, Mr. Webster amused the company with an account of the first appearance of Grant when on his way to college, tugging up the hill into Hanover, with a saddle on his back that he had stripped from the old horse which his father had furnished him for the journey, but which he had turned loose near Mink Brook to die, though he prudently determined to save the saddle. But the laugh which this picture elicited was not long against Grant, for he retorted with a description of Webster on *his* entrance into Hanover, dressed in a blue jean jacket and corduroy trousers far too short to reach his stockingless feet, and inquiring if anybody could tell him the way to "Moor's *Indian* Charity School!"

Mr. Grant appears to have practiced at Plymouth from 1806 above twenty years; then at Sandwich several years; afterwards in Sanbornton for a time, and finally to have returned to Plymouth. It is said, too, that he went to Wentworth to live at one time, but did not stay there long. Being asked the reason of his leaving the place so soon, he replied that "in fact there was not room, there; the hills came down all around so close together that there was no space to turn round in. A little shoemaker moved in and set up business there, but when he tried to pull out his wax ends, he hit both his elbows against the hills!"

This erratic genius, notwithstanding his bright natural parts and his advantages of education, appears never to have attained any distinction in his profession. He probably lacked those habits of application which alone insure the highest success to the followers of the stern taskmistress of the law.

In his later years he met with much domestic affliction, in the death of two daughters, and of his wife. Her maiden name was Mary Parker.

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GARDNER GREEN.

This was one of four brothers who engaged in the profession of the law in this State. He studied with his brother, Peter Green of Concord, and went into practice in Loudon before the year 1793, but remained there only a short time. He was afterwards heard of in Canada, where he was tried for some infraction of the law. He was drowned in crossing Lake Champlain.

He married Deborah Boynton, July 25, 1793.

NATHANIEL GREEN.

Son of Nathaniel Green; born, Worcester (?), Massachusetts; practiced, Boscawen, Warner, and Hopkinton; died, Virginia, c. 1812.

Mr. Green was a brother of the preceding. He studied in the office of his brother, Peter Green of Concord, and is supposed to have begun practice in Boscawen as early as 1785. In 1795 he opened an office in Warner, but remained there only a year or two. He engaged also in trade, but without much success, and when in 1798 Congress authorized the raising of a provisional army, in anticipation of hostilities with France, he received a commission as captain therein. He appears to have had literary pretensions, and published a Fourth of July oration. The later years of his life he was in reduced circumstances, and in 1811 went to Virginia, where his death soon after occurred.

He married, in 1785, Ruth, daughter of Samuel Fowler of Boscawen. They had at least six children; of whom two of the sons, Nathaniel and Charles G. Greene, became noted for their literary and journalistic abilities.

PETER GREEN.

Son of Nathaniel Green; born, Worcester, Massachusetts, 1746; practiced, Concord; died there, March 27, 1798.

This was the first lawyer of Concord. His father is said to have been a barber. He studied law in Londonderry, under the direction of Samuel Livermore, and opened his office in Concord in 1767.

Up to the time of the Revolution he is described as very suc-

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cessful in business, but the war naturally put a serious check upon legal proceedings. This may have been in part the occasion of Mr. Green's want of sympathy with the cause of the people. In March, 1777, the inhabitants of Concord passed a vote that Peter Green and other persons named be advertised in the public prints as enemies of the United States of America, and that Colonel Gordon Hutchins apply to the Court of Judicature of the State "to dismiss Peter Green, Esq., from all business henceforth and forever." About the same time Mr. Green narrowly escaped having his house demolished by a concourse of Sons of Liberty. On the 9th of June following he and others were arrested by order of the Committee of Safety on suspicion of conspiring against the liberties of the State, and brought before the legislature then in session. A joint committee of both Houses reported that the prisoners should be committed to close jail for safe keeping. On the 12th of June Mr. Green was liberated from actual confinement on giving bond for "the liberty of the yard," and on the 11th of July he was brought before the Committee of Safety, and voluntarily took the oath of allegiance to the State, and was discharged from custody.

It is probable that he yielded with tolerable grace to the inevitable, and that after the surrender of Burgoyne he fully acquiesced in the new government; for apparently he never quite lost the confidence of his fellow-citizens, but resumed his law practice after the war, and was chosen representative to the General Court in 1785 and 1789; senator in 1787, 1789, and 1790; and councilor in 1788. He was also appointed lieutenant-colonel of the Second Regiment of Light-horse in 1785, and colonel of the same in 1787.

It was said of Mr. Green, with truth, that he was "conspicuous in his time;" he gave the tone to the fashionable society in the place of his residence, and was a liberal and public-spirited citizen. He is recorded in Bouton's history as the proprietor of the second chaise that was introduced into Concord; and in 1790 his name was set down for the sum of $100 on a subscription for erecting a building for the accommodation of the General Court, the whole amount of which was but $555.

Toward the close of his life, however, he yielded to that fatal habit of all times, and of his time especially, of too free indulgence in intoxicating drink. Some time before his death he

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quitted the practice of the law, and went with his family to Boston, where he opened a boarding-house, but returned in a short time to Concord, and died there.

His standing in his earlier and better days may be inferred from his marriages. He had two wives, both belonging to families of education and position; the one, whom he married in 1770, was Elizabeth, daughter of Colonel John Bulkley of Groton, Massachusetts, who was the mother of two children, and lived but a few years; the other, Rebecca, daughter of Rev. John Mellen of Sterling, Massachusetts, and a sister of Chief Justice Mellen of Maine. She survived her husband about two years, and left five of her six children.

ELBRIDGE FLAGG GREENOUGH.

Son of John and Nancy (Foster) Greenough; born, Canterbury, February 3, 1808; Dartmouth College, 1828; practiced, Salisbury; died, Nauseon, Ohio, 1875.

Mr. Greenough studied law with Ezekiel Webster and Richard Fletcher at Salisbury, and Ebenezer Greenough at Sudbury, Pennsylvania, where he was admitted, and practiced six years. In 1842 he came to Salisbury, and was in trade there, and in the exercise of his profession, until 1860. In that year he removed to Nauseon, Ohio. He was not particularly distinguished in the law, so far as has been learned.

He was married, June 14, 1848, to Elizabeth R., daughter of Moses Eastman of Salisbury.

DAVID AIKEN GREGG.

Son of Joseph and Susannah (Aiken) Gregg; born, Londonderry, March 12, 1788; Dartmouth College, 1811; practiced, Londonderry and Derry; died, Derry, May 15, 1866.

Mr. Gregg studied law with Samuel C. Allen of Northfield, Massachusetts, and was admitted and established himself in an office in Derry in 1814. In 1817 he removed to New Salem, Massachusetts, but probably not finding encouragement there equal to his expectations, he returned in 1820 to Derry.

He represented Derry in the legislature of 1832, and in 1835 was appointed postmaster. In 1840 and 1841 he was chosen a

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member of the state Senate, and in January 1842, obtained the appointment of register of Probate, which he held for five years, meanwhile residing in Exeter. In 1847 he returned to Derry.

Mr. Gregg was a man of respectable talents and learning, and as a practitioner and in his official capacity gave satisfaction to all concerned. Though possessed of little quickness or readiness, he was by no means deficient in the sense of humor or the power of enjoying it. He was an assiduous gatherer of the dry sayings and pungent repartees with which the traditions of the early inhabitants of Londonderry abounded, and used to repeat them with deliberate unction.

He was three times married; first, October 23, 1817, to Martha Hunt, daughter of Samuel C. Allen of Northfield, Massachusetts; second, March 28, 1844, to Lydia, daughter of Hon. George Sullivan of Exeter; and last, June 22, 1852, to Charlotte, daughter of Samuel Butler of Pelham. By his first marriage he had a son who became a lawyer.

JOSEPH ALLEN GREGG.

Son of Hon. David A. and Martha H. (Allen) Gregg; born, Derry, 1822; admitted, 1842; practiced, Derry; died there, September 9, 1854.

Mr. Gregg was educated in the town of his birth, and studied law there in the office of his father. He was postmaster of Derry, and the youngest member of the state constitutional convention of 1850. He was a man of good intellect, and gave every indication of gaining distinction in his profession, had his life been prolonged.

SOLON GROUT.

This gentleman is reported to have come to New Hampshire from Brattleborough, Vermont, and to have acquired his professional training under Willis Lyman of Hartford, in that State. He practiced in Lebanon a year or more, and then in 1832 removed to Hanover, where he was for a while a partner in practice with Mills Olcott. In 1835 he left Hanover and returned to Vermont, and died in Bellows Falls.

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WILLIAM HENRY HACKETT.

Son of Hon. William H. Y. and Olive (Pickering) Hackett ; born, Portsmouth, December 6, 1827 ; practiced, Portsmouth ; died there, September 24, 1891.

Mr. Hackett fitted himself for the bar in his father's office in Portsmouth. He was a man of many capabilities, and though always retaining his hold upon the law, never was a slave to it. He was twenty years clerk of the United States Circuit Court, and commissioner ; a director in the First National Bank, and clerk of the Concord and Portsmouth, and Eastern (New Hampshire) railroads ; a journalist, ready at short notice to meet calls for literary and historical contributions to the press ; a trustee of estates, which he managed with prudence and method. He inherited from his father quickness of apprehension and promptness in action. His wits never went wool-gathering. His legal knowledge was for practical use ; he wanted to "fire and fall back." He had ready speech, and the gift of making his points briefly and forcibly. His cases in the courts were well looked after, and he took care that his clients' executions and his own fees were promptly collected.

During the great Rebellion Mr. Hackett took a somewhat prominent part in politics, and after serving in both branches of the city council of Portsmouth, was a member of the state legislature in 1864 and 1865, and afterwards in 1871.

His wife was Mary Wells Healey of Hampton Falls. They were married December 4, 1851, and of their two children the son, Wallace Hackett, is a member of the bar.

WILLIAM HENRY YOUNG HACKETT.

Son of Allen and Mary (Young) Hackett ; born, Gilmanton, September 24, 1800 ; admitted, 1826 ; practiced, Portsmouth ; died there, August 9, 1878.

Mr. Hackett when a lad attended the Gilmanton Academy, and presumably prepared himself for entrance to college. He had seen and heard Ichabod Bartlett, and, fascinated by his brilliant talents, fixed upon the law for his calling, and Bartlett for his master. He proceeded to Portsmouth, became his student, and

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supported himself by teaching while he accomplished his five years of legal reading. In 1826 he began practice in Portsmouth.

He bought bank stocks as soon as he gained the means, and became in 1827 a director of the Piscataqua Bank, and so continued as long as it existed. By the desire of Secretary Chase he organized the First National Bank of Portsmouth, — the first in the country, it is claimed, — and was its president through life. He was also an officer of two savings banks.

His law practice was, however, his chief interest. He was punctually in his office. Quick of apprehension, full of resources, conversant with human nature, and of great practical sense, he was a wise counselor. Without being a great student, he was usually right in his law. He held briefs against the best practitioners in the state and federal courts, and not to his disadvantage. He was a ready and fluent speaker, with an apparent fairness, that impressed his audience favorably. He was spontaneous, witty, and always interesting.

Until 1850 the state of parties in Portsmouth did not admit of Mr. Hackett's election to political office. In that and the two following years, and in 1857 and 1860, he was chosen a representative in the General Court. In 1861 and 1862 he was a state senator, and in the latter year president of the Senate. In 1867, 1868, and 1869 he was again in the House. He was a valuable legislator, and an important adviser and spokesman of his party.

He was long a member of the State Historical Society, and five years president thereof; and gave no little attention to historical and antiquarian subjects. He prepared introductory memoirs to the writings of Andrew Halliburton, and to Brewster's "Rambles about Portsmouth;" and wrote obituary notices of many citizens of note, for the public journals. In the Memoir of Mr. Hackett by his younger son, a few excellent specimens of his composition are included.

He had always something apposite to say. In the midst of one of his addresses to the jury, the chair of the presiding judge gave way and let his Honor down to the floor. Mr. Hackett remarked that it was fortunate for his client that it was the judge, and not his counsel, who had "broken down."

He once brought a suit in behalf of a landlord against a delinquent tenant named *Parent*. He opened his case to the jury

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by the remark that his client had come to the conclusion that it was high time that the defendant should change his *name* (payrent) or his *habits;* but as he had done neither, it only remained to try what the law would do.

Mr. Hackett's chirography had been very beautiful in his youth, but in later life he wrote rapidly and with less care. A member of the bar whose handwriting was notoriously bad, on being taken to task by Mr. Hackett for its illegibility, declared that it was fully as readable as Mr. Hackett's. "The difference is," replied the latter, "that my hand looks as if I had *once* learned to write, and yours looks as if you *never* had!"

Mr. Hackett practiced the virtues that our fathers prized, and was rewarded by abundance and a happy old age, with the general esteem.

He was joined in marriage, June 21, 1826, to Olive, daughter of Joseph W. Pickering of Portsmouth, and they lived to celebrate their golden wedding. Of their three children, the two sons became lawyers.

SAMUEL HAINES.

Son of Samuel and Hannah (Johnson) Haines; born, Canterbury, May 30, 1780; Dartmouth College, 1803; practiced, Sanbornton and Portsmouth; died, Providence, Rhode Island, August 13, 1825.

Mr. Haines studied law in the office of Fisk and Clegg of New York city, and began to practice in Sanbornton about 1807. In 1808 he was commissioned a lieutenant in the army of the United States, and served two or three years. He then appeared in Portsmouth, and made application to be admitted a counselor of the Superior Court. He practiced in Portsmouth for a year or two, and then went to Alabama and pursued his profession there. His death occurred while he was on his way to or from a visit to his friends in New England.

He delivered an oration on Independence day at Sanbornton in 1808, and another on the 4th of March, 1809, at Portsmouth, both of which were printed. He also published in 1812 a letter in vindication of himself against certain charges of Captain John B. Walbach.

He was high-spirited and probably contentious, and seems to have been strangely ignorant of the practice of our courts. In a

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cause which he was bringing to trial the clerk reminded him of the jury fee. He inquired what it was, and on being told took out the money and offered it to the foreman of the jury.

He was married, May 22, 1809, to Eliza, daughter of Nathaniel Gookin of Portsmouth.

DAVID HALE.

Son of David and Hannah (Emerson) Hale ; born, Alstead, 1783 ; admitted, 1811 ; practiced, Newport ; died there, October, 1822.

This gentleman was an older brother of Salma Hale of Keene, and possessed a full share of the talent which has so often accompanied the name. Though he had not a collegiate education, his native thirst for knowledge and assiduous application enabled him to take rank with the best informed. He studied his profession with James H. Bingham in his native town, and chose Newport as his residence. There he continued to practice law during the nine remaining years of his life. He was a diligent reader and student of useful books, in company with his wife, who became afterwards known as Mrs. Sarah J. Hale, the distinguished authoress. Mr. Hale made many friends, and especially among the Masonic fraternity, of which he was a valued member.

He was married, October 23, 1813, to Sarah Josepha, daughter of Gordon Buell. They had five children.

JOHN HALE.

Son of Major Samuel Hale ; born, Portsmouth, 1762 ; Harvard College, 1779 ; practiced, Portsmouth ; died there, July 13, 1796.

The father of the subject of this sketch, well known as "Master Hale," a classical teacher of high repute, an officer in the expedition against Louisburg in 1745, and later in life a judge of the Court of Common Pleas, directed the studies of his forward son, who completed his collegiate course when he was but seventeen. The college authorities employed him as tutor from 1781 to 1786. Meanwhile he improved his time in the study of the law under John Pickering of Portsmouth, so that he was qualified for admission in 1787. During the reminding nine years of his life he devoted himself assiduously to his profession. He prepared for publication the "Statement of the cause of the McClary owners

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v. Doane *et al.*," in 1795, which was the earliest case of conflict of jurisdiction between the courts of New Hampshire and of the United States.

His earthly career was terminated before he reached his thirty-fourth year. As was justly written by Jonathan Mitchell Sewall in his epitaph on Hale, his talents and virtues

"A noble harvest gave, yet promised more."

He was never married.

JOHN PARKER HALE.

Son of Samuel and Lydia (Parker) Hale; born, Portsmouth, February 19, 1775; practiced, Portsmouth, Barrington, and Rochester; died, Rochester, October 15, 1819.

Receiving his early education in the excellent schools of Portsmouth, and at the expense of his uncle, "Sheriff" John Parker, Mr. Hale went for his legal training into the office of his kinsman, John Hale. He was ready for practice soon after he attained his majority, and for a year or two tried his fortune in Portsmouth, then for a short time in Barrington, but settled down about the year 1801 in Rochester.

It was not in him to be what we call a hard-working lawyer. He was of quick, impulsive feelings, and a ready wit. His powers were all at his immediate command. He was fairly well grounded in the principles of the law, but had no taste for the study of its minutiæ. He was the master of a very effective, off-hand oratory. His voice and manner were agreeable, his wit was keen, he knew human nature well, and was able to adapt his appeals to the exact level of his audience. He probably did quite as much business in court as out of it, for he was a favorite leader. It was not uncommon for him to be summoned to the front in a contested cause at the very moment of going to trial. The names of the parties and the nature of the action he learned from the writ as it was read by his junior, the facts he took from the opening statement to the jury, and thus he went through the trial with as little hesitation, and perhaps with as much success, as if he had been training for months for the contest. Causes were tried more "upon their merits," as the phrase is, in his day, and depended little upon technicalities. Hence the want of prepara-

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tion was not, to a man quick and fertile of resources like "Jack Hale," as he was called, a matter of so serious moment.

As might be expected, he had great popularity. No man could resist his hearty and winning ways. He lived in good and rather lavish style, and had no financial capacity, so that he was sometimes remiss even in paying over moneys that he had collected for others. It repeatedly happened that those to whom he was thus indebted called on him, brimful of indignation and threats of legal proceedings. But he always received them so cordially, and smoothed down the ruffled feathers so deftly, that they would eventually leave him in entire good humor, and without having alluded to the real cause of their visit. His politeness and tact were a shield that no ill-nature could penetrate; and he possessed a fund of anecdotes which he related with a humor that was irresistible.

Mr. Hale was married in early life to Lydia Clarkson, daughter of Jeremiah O'Brien of Machias, Maine, and had several children, of whom the eldest son was his namesake, the distinguished lawyer and statesman.

JOHN PARKER HALE, LL. D.

Son of John P. and Lydia C. (O'Brien) Hale; born, Rochester, March 31, 1806; Bowdoin College, 1827; admitted, 1830; practiced, Dover; died there, November 19, 1873.

Being a young man of brilliant parts, Mr. Hale was not too much addicted to study while in college, and, if Mrs. Ann Royall is to be credited, was a little inclined to dissipation. But if so, he fully redeemed himself in after life. Not that he ever became a close student: his perceptions were rapid, his memory retentive, and his knowledge was obtained by something like intuition. He read law with Jeremiah H. Woodman of Rochester and Daniel M. Christie of Dover, where he settled in practice. His ability soon brought him into public notice. He was chosen a representative in the state legislature in 1832, and in 1834 was appointed United states District Attorney by President Jackson, and reappointed in 1838 by Van Buren, but was removed by Tyler in 1841. In 1842 he was elected to Congress, and reëlected two years later, serving four years. Here began his divergence from his party, which was destined later to bring him into great prom-

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inence. He opposed the admission of Texas into the Union, as an extension of slave territory. For this the Democratic party of New Hampshire struck his name from their ticket of nominees for Congress. He accepted the issue, and became the candidate of the Free Soil party, to which the Whigs gave their support. He made the tour of the State, and addressed the citizens everywhere with eloquence and power.

In June, 1845, occurred his celebrated debate with Franklin Pierce, the champion of New Hampshire Democracy, who was put forward to reply to Mr. Hale. It was a memorable passage-at-arms, and Mr. Hale's friends were delighted with his success. He was said to have risen to a height of eloquence that he never reached before. The next year he was a member of the legislature, was placed in the chair of the House, and was elected a senator of the United States for six years. In 1855 he was again chosen to the United States Senate to fill out the unexpired term of Charles G. Atherton, and in 1858 was chosen for the third time, and held his seat till the spring of 1865. He was the earliest member of the Senate chosen on the Free Soil issue, and for two years or more the only one. He was no silent member. He took part in the business and debates, never hesitating to utter his views on all questions plainly and firmly. But he had the happy faculty of never giving needless offense. Yet he dealt hard blows sometimes, but in so manly a fashion that it would have seemed cowardly to resent them. Moreover, it was the part of prudence not to come to too close quarters with a man of the courage and wit and eloquence of the New Hampshire senator. He was long a member of the Committee on the Navy, and originated and carried through the Senate two reforms, which were established by law: the abolition of flogging and of the spirit ration in the navy. In securing this desirable legislation he felt an honest pride.

He was twice nominated by the Free Soil party of the country for the presidency of the United States: in 1848 when he declined in favor of Van Buren, and in 1852 when Franklin Pierce was elected.

In March, 1865, Mr. Hale was appointed minister to Spain. It was a position for which he had no special adaptation, and in which, by reason of his want of familiarity with the language and customs, he was obliged to repose the utmost confidence in others.

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His friends had no doubt that his confidence was abused, and that certain charges made against him, which were never substantiated, were utterly baseless. Surely it must be admitted that he was the last man to attempt to make petty gains out of his official privileges. He was recalled in 1869, and returned home. The remaining three or four years of his life he was an invalid, his life work all done.

Mr. Hale was not a learned but he was a ready lawyer. He had unfailing tact, good humor, and natural oratorical skill. The opponent who fancied he had put him in a corner usually found there were unexpected ways out of it.

In one cause which he was conducting the adverse counsel had attempted to break down his principal witness by presenting the notes of his discrepant testimony on a former trial. Mr. Hale, in his argument, in order to show the liability to error of such notes, read to the jury that part of the inimitable trial of the action of Bardell *v.* Pickwick, where the little judge inquired of Mr. Winkle whether his name was Nathaniel Daniel, or Daniel Nathaniel, and on his reply that it was only Nathaniel and not Daniel at all, the judge retorted: "Why did you say Daniel, then?" "I did n't, my lord." "You did, sir," returned the little judge: "how could I have got it on my notes unless you said it?"

A story is related of Mr. Hale's free translation while a student in college of an apothegm of some classical author to the effect that a thing well begun was half done. The student astonished his professor by rendering it: "A man who is well lathered is half shaved."

The surrender by President Polk of his confident claim of the Territory of Oregon to "fifty-four forty" was characterized by Mr. Hale as an exhibition of Christian meekness, — "but unfortunately he did not receive the promised reward of the meek, — he did not inherit the land!"

In 1851 Mr. Hale was counsel for the respondents in the "rescue cases" in Boston, and for Rev. Theodore Parker in a somewhat similar case at a later date. The questions involved aroused his deepest feeling, and he acquitted himself on the trials with the highest credit, and won the warm commendation of Richard H. Dana and unstinted praise from Mr. Parker. Dartmouth College in 1861 conferred upon Mr. Hale the well-merited degree of Doctor of Laws.

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At the turning crisis of his career he declared that the inscription he most desired upon his tombstone was, that he was willing to surrender office rather than bow down to slavery. He kept the faith, and his name will ever stand high on the roll of the champions of freedom.

He was married to Lucy, daughter of William Lambert, Esq., of South Berwick, Maine. Two daughters were the issue of the marriage, one of whom became the wife of Hon. William E. Chandler of the New Hampshire bar.

SALMA HALE.

Son of David and Hannah (Emerson) Hale ; born, Alstead, March 7, 1787 ; admitted, 1834 ; practiced, Keene ; died there, November 19, 1866.

At the age of thirteen Mr. Hale began to learn the trade of a printer in the office of the "Farmer's Museum," a newspaper of note at Walpole, and when he reached eighteen he was the editor of the "Political Observatory," a weekly journal issued in the same town. Not long after this he determined to study law, and pursued that design under the direction of Roger Vose at Walpole, of Samuel Dinsmoor and of Phineas Handerson at Keene. His entrance to the bar was postponed by his appointment in 1812 to the clerkship of the Court of Common Pleas for the county of Cheshire, to which the clerkship of the Superior Court was added in 1817. These offices he continued to hold, through sundry changes of the court, with the exception of a few years, until 1834.

In 1816 he was elected a representative in Congress, and served one term from 1817 to 1819, but declined a reëlection. In 1823 he was chosen a representative, and in 1824 a senator in the state legislature. He was also secretary of the commission for settling the boundary line between the territory of the United States and of the British Provinces, under the treaty of Ghent.

In 1834 he was admitted to the bar, and commenced practice in Keene, with the great advantage of a thorough knowledge of the forms and methods of legal proceedings, and a wide acquaintance. He did not engage much in the trial of causes, but was a studious, prudent, judicious counselor. He was essentially scholarly in his tastes and habits, a great reader, familiar with the French and other modern tongues, and a writer of a correct and elegant style.

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He contributed numerous articles for newspapers and periodicals, and was the author of a school history of the United States which won the prize of $400 offered by the American Academy of Languages and Belles-Lettres for the best work of that character. It long held its place in the schools, and was reprinted several times abroad. He also compiled the "Annals of Keene," which went through two editions.

He was no recluse, and took a deep interest in passing events and the questions of the day. Modest and retiring in his manner, he was regarded as one of the best informed and most interesting men in his section. He was an early member and president of the State Historical Society. He received in 1824 the honorary degree of A. M. from the University of Vermont.

Mr. Hale's wife was Sarah K. King. They had two children, a son, Hon. George S. Hale, counselor at law in Boston, Massachusetts, and Sarah K., who became the wife of Harry Hibbard of Bath.

SAMUEL HALE.

Son of John Hale; born, Gloucester, Massachusetts, 1745; Harvard College, 1766; practiced, Portsmouth; died, England, 1787.

This gentleman was in practice in Portsmouth as early as 1771, and was admitted to the Superior Court the next year. He is described as a man of decided intelligence, of enlarged information, and of an affectionate and honest heart. Moreover, he possessed a ready wit, but was perhaps sometimes no sufficient respecter of persons in the exercise of it. A good clergyman of Portsmouth once observed, in a religious conversation with a friend, that "by the foolishness of preaching" men were brought to the knowledge of the truth and eternal life. Mr. Hale, who was present, exclaimed, "Faith, parson, *your* congregation will stand a good chance!"

In the Court of Common Pleas the clerk, wishing to absent himself, requested John Pickering, afterwards the distinguished judge, to officiate for him. Wyseman Clagett, knowing Mr. Pickering's aversion to taking an oath, objected, unless he were sworn. Pickering said he would not swear, but would give his honor that he would perform the duty faithfully. "Honor!" said Clagett, "a knave is an honor." "Yes," said Hale, pointing

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to the bench on which sat the four justices of the court, "and there are four in the pack."

Mr. Hale showed himself to be a decided, as he was a thoroughly honest, opponent of the American Revolution, and early in its progress quitted his home in Portsmouth and placed himself within the British protection. The legislature of New Hampshire thereupon proscribed him and forbade him to return into the State.

Mr. Hale went to England toward the close of the war, and never again saw his native land, nor the wife and child whom he left when he passed within the enemy's lines. But he wrote affectionately to his wife, and strove to have the obnoxious legislation of the State against loyalists repealed. But while he was yet in middle life, death closed his career.

His wife was Lydia, daughter of Judge William Parker of Portsmouth. His child was John P. Hale, afterwards of Rochester.

OBED HALL.

Son of Hon. Ebenezer L. and Lydia (Dinsmore) Hall; born, Conway, February 23, 1795; practiced, Bartlett and Tamworth; died, Tamworth, May 21, 1873.

In the war of 1812 Mr. Hall was in the military service for a short time, in a company of militia at Portsmouth. His early education was imperfect, and he studied law three years with Enoch Lincoln of Fryeburg, Maine, and two years with Lyman B. Walker of Meredith. He first set up in practice at Bartlett, and about 1820 changed his residence to Tamworth. He was representative in the legislature in 1840 and 1841, in which latter year he was appointed register of Probate for the new county of Carroll. That post he occupied ten years. In 1854 and 1856 he was a state senator.

He was a lawyer of respectable acquirements, but preferred to give his time and attention to politics, which did not conduce to his legal progress nor to his pecuniary profit. He gave much attention to his farm, being partial to agriculture. He was public-spirited, and in private life benevolent and kindly.

His first wife was Elizabeth Gilman of Tamworth, who bore him one daughter; his second was Caroline E., daughter of John Carroll of Maine. She left him a daughter, who outlived her father.

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JOHN HAM.

Son of Dodrick Ham ; born, Dover, December 30, 1774 ; Dartmouth College, 1797 ; practiced, Gilmanton ; died there, March 7, 1837.

This gentleman was fitted for college at the Phillips Exeter Academy, and studied his profession at Portland, Maine, with William Symmes, and at Durham with Ebenezer Smith. Admitted an attorney in 1800, he fixed his residence the same year in Gilmanton. He represented the town in the legislatures of 1813 and the two years next following, and was one of the selectmen seven years, beginning in 1823. For more than thirty years he was one of the trustees of the Gilmanton Academy.

He is described as a pretty good lawyer, though he never acquired a very extensive practice. He had a good farm and cultivated it well, and seems to have had a greater inclination for tilling the soil than for the contentions of the courts. In term time he often acted as assistant to the clerk. He was honest, amiable, and well liked. His countenance wore a smile of good humor, and he was a noted player upon the violin. These peculiarities are uncomplimentarily alluded to in a line of Moses L. Neal's verse, —

"And simpering John with his long fiddle-bow."

It is to the credit of Mr. Ham that the merciless poetaster of the opposite party, in the times of high political feeling during the war of 1812, could find in him no more vulnerable characteristics for the shafts of his ridicule, than a smiling countenance and a partiality to music.

Mr. Ham took to wife Wealthy C., daughter of Moses Bingham of Hanover, June 9, 1808. They had six children.

PHINEHAS HANDERSON.

Son of Gideon and Abigail (Church) Handerson ; born, Amherst, Massachusetts, December 13, 1778 ; admitted, 1804 ; practiced, Chesterfield and Keene ; died, Keene, March 16, 1853.

When this gentleman was a child of only a few months old, he was carried in the arms of his mother on horseback to Claremont, and there he received his slender early education. He became a faithful reader of books of sterling value, and thus

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supplemented the deficiencies of his school instruction. In 1799 he began the study of the law in the office of George B. Upham of Claremont. In 1805 or 1806 he settled in Chesterfield, and pursued his profession there until 1833. He was elected a selectman in 1811; representative in the legislature in 1812, 1813, and 1815; and state senator in 1816, 1817, 1825, 1831, and 1832.

In 1833 he removed to Keene. He was elected councilor in 1841 and 1842, and representative in 1843 and 1849. From 1827 up to the day of his death he was the president of the Cheshire County bar.

Mr. Handerson was a lawyer of ample learning and intellectual power, but was not ambitious for public distinction. His great aim was to do right.

He was a genuine peacemaker. Of him it may be said in the language of Pope, in his epitaph upon a barrister: —

> "Many he assisted in the law,
> More he preserved from it."

"He was a noble man," was the testimony of James Wilson, Jr., who practiced beside him.

He was married, in 1818, to Hannah Willard, daughter of Rev. Samuel O. Mead of Walpole, and had eight children, seven of whom were daughters. One of these was the wife of Francis A. Faulkner of Keene.

JOHN ADAMS HARPER.

Son of William and Mary (Lane) Harper; born, Deerfield, November 2, 1779; practiced, Sanbornton and Meredith; died, Meredith, June 18, 1816.

Mr. Harper obtained his education at the Phillips Exeter Academy, which he entered in 1794. Thomas W. Thompson of Salisbury was the first director of his law studies, and they were completed in the office of Jeremiah Smith at Exeter. About the year 1802 he commenced practice in Sanbornton. Four years later he moved to Meredith Bridge, now Laconia. From 1805 to 1808 he was clerk of the state senate; and in 1809 and 1810 he represented Meredith in the lower house of the legislature. In 1810 he was chosen a representative in Congress, and served from 1811 to 1813. On the question of declaring war against England he cast his vote in the affirmative, and took part in the

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debates. He was tendered the commission of lieutenant-colonel in the army, but declined it by reason of his unwillingness to leave his young and dependent family.

His personal appearance was prepossessing, his manners were engaging, and he was eminently social and popular. His intellectual abilities were of a superior order, but he was not proof against the temptations of conviviality, which seriously lessened his power of usefulness, if it did not shorten his life.

Mr. Harper was the compiler of the "United States Repository and New Hampshire Register for 1801," a useful little annual, of a series which contains a valuable mass of important statistics and local information, not to be found in any other publication.

His wife was Susan, daughter of Dr. Isaac Thom of Londonderry. She, with two children, survived him.

MATTHEW HARVEY, LL. D.

Son of Matthew and Hannah (Sargent) Harvey; born, Sutton, June 21, 1781; Dartmouth College, 1806; admitted, 1809; practiced, Hopkinton; died, Concord, April 7, 1866.

The main facts in the life of Mr. Harvey are given in his own words, as follows: "My father was a farmer. I was fitted for college in the family of Rev. Samuel Wood, D. D., of Boscawen; read law in the office of John Harris, Hopkinton, and was admitted in Hillsborough County, and commenced practice in Hopkinton, where I continued till 1830. Meantime, in 1814, I was chosen representative to the state legislature seven years successively, the last three of which I was Speaker. During the last year I was elected to Congress, and served four years. When I returned home I had been elected to the state senate, and so continued three years, being president all that time; then chosen councilor two years, and then in 1830 elected governor of the State. During that year I received the appointment of Judge of the United States District Court (by General Jackson), and have held that office to the present time (1864), — a period of fifty years of office-holding, not omitting a day. Though often a candidate, I was never defeated."

Judge Harvey lived two years longer, and died in office. His is a very remarkable, if not an unexampled record, and carries with it, in this case, the assurance of superior understanding,

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fidelity to duty, and a genuine interest in the general welfare. As lawyer and judge his rank was creditable; as a public officer none was more conscientious; as a man he was liberal, benevolent, and religious. His modesty and aversion to display led him to forbid the customary procession at his inauguration as governor. In his message to the legislature he was the first to advocate the abolition of the illogical and cruel practice of imprisonment for debt. It was at his recommendation that inmates of the state prison were, on being discharged, supplied with the means of immediate support, so that they might not have the excuse of want for resuming criminal practices.

His degree of LL. D. was given him by Dartmouth College in 1855.

Judge Harvey was married in 1811 to Margaret Rowe of Newburyport, Massachusetts. They had two children, both of whom died before their father.

HARRISON GRAY HARRIS.

Son of Deacon Richard and Lydia (Atherton) Harris; born, Harvard, Massachusetts, July 2, 1790; admitted, 1815; practiced, Sutton and Warner; died, Warner, March 8, 1875.

Mr. Harris was left an orphan at the age of eleven, and went to live with his brother, John Harris, at Hopkinton. Under his tuition, and at the public schools, he obtained his education, and he studied law with Estes Howe of Sutton, with Judge Taft of Uxbridge, Massachusetts, and with John Harris of Hopkinton. On being admitted, he opened an office a few months at Sutton, and then in 1816 established himself in Warner. There he continued in practice until about fifteen years before his decease, when he retired. He had always been fond of agriculture, and given no small part of his time to the cultivation of his land, and in his later years this became his great resource.

Mr. Harris was a careful, old-school lawyer, "who wrote out everything with exceeding nicety." His attainments in his profession were ample, but he had little of the forth-putting disposition to push himself into notoriety; on the contrary, he is said to have been inclined to undervalue his own powers and acquirements. He never sought office, but when chosen to positions of trust in the town he performed his duties faithfully. He was

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one of the originators of a lyceum and a library, and active in the improvement of the schools of his town. His reading was extensive, especially in historical subjects. His nature was social, and he was for sixty years a deeply attached member of the Masonic order.

His wife was Mary, daughter of Richard Bartlett of Warner, and bore him five children.

JOEL HARRIS.

Son of Richard and Lydia (Atherton) Harris; born, Harvard, Massachusetts, September 29, 1781; Dartmouth College, 1804; practiced, Hopkinton; died, Harvard, Massachusetts, December 2, 1817.

This was the second of three brothers, who came from Massachusetts into New Hampshire to pursue the legal profession. He read law in the office of his elder brother, John Harris of Hopkinton, and on his admission in 1807 began practice there. He remained only two years, however, when he returned to the place of his nativity. There he continued to the close of his life.

His wife, whom he married September 20, 1808, was Mary Blood of Bolton, Massachusetts. They had five children.

ALBERT RUYTER HATCH.

Born, Greenland, October 10, 1817; Bowdoin College, 1837; admitted, 1841; practiced, Portsmouth; died there, March 5, 1882.

Mr. Hatch studied law in the office of Ichabod Bartlett in Portsmouth, and there he set up in practice in 1841. He admired Mr. Bartlett greatly, and caught many of his fashions of manner and of speech. Mr. Hatch determined from the start that he would not, unless desired by his client so to do, employ any senior counsel to present his causes to the jury, but would argue them himself. The result of this rule was to give him great familiarity with the rôle of an advocate, and to make his name and person well and early known to the frequenters of the courts.

In 1847 and 1848 he was a representative of Portsmouth in the General Court, and in the latter year he was commissioned solicitor for Rockingham County, and clerk of the United States Court for the district of New Hampshire. The former office he filled

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for eight years, and until a change in party ascendancy; the latter until his resignation, after twenty-five years' duty. In 1873, and the three following years, he again served as a representative in the legislature, and in 1874, his party being in the majority, he was Speaker of the House.

He was a decided but not a violent partisan, and his opinions and advice were always heeded and respected by his party. He was an alderman of the city of Portsmouth, and a member of the High School committee; a director of the Portsmouth and Dover Railroad, of the Portsmouth Bridge Company, and of the Athenæum. He took deep interest in Freemasonry, and was an active member in the various Masonic bodies in Portsmouth, for twenty-five successive years being elected Commander of the Knights Templar there. In the Episcopal Church he was a leading member; a vestryman of St. John's, and one of the trustees of the new Christ's Church.

These, however, were his avocations; his vocation was that of a lawyer. For this he had many and eminent qualifications. He was calm, prudent, and rather secretive; studious, untiring, and ambitious. He knew his profession well, but before giving his opinion made sure of his grounds. Whatever he had to do was done promptly. Every pleading and notice was duly filed and served, and it was a rare circumstance for him to have to ask a favor of court or counsel. While the court was occupied with matters in which he had no part, he was engaged in the court-room, penning memoranda in his suits to come, or other business. He was always within reach, however, so long as the sessions lasted. When a case of his was called he was always at his post. The opponent who hoped to catch him napping reckoned without his host. Quick to detect every oversight of an adversary, he made few on his own part. He was always equal to himself; not strong to-day and weak to-morrow. For years he was one of the very foremost practitioners in his county.

In private life he was respected as a gentleman of taste, and scholarship, and public spirit, dignified in mien, in every society a pleasant companion, and a true friend.

In 1848 he married Margaret R. Harris of Portsmouth. Of their four children, the two sons were bred to their father's calling.

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ALFRED WOODWARD HAVEN.

Son of John Haven ; born, Portsmouth, March 14, 1801 ; Harvard College, 1820 ; admitted, 1825 ; practiced, Portsmouth ; died there, December 27, 1885.

Mr. Haven prepared himself for the profession of the law in the office of his kinsman, Nathaniel A. Haven, Jr. He was in legal practice only nine years, from 1825 to 1834 ; thenceforth his time was absorbed in the care of his large patrimony, and in other interests. His success at the bar, however, evinced his ability to have taken a high place, had his circumstances required it.

He was one of the earliest advocates of the building of the Concord and Portsmouth Railroad, and was chosen the first president of the corporation, when its prospects of success were least promising, and when constancy and confidence were most needed. He was also a director in the Rockingham Bank and in the Portsmouth Athenæum. In 1864 and 1865, and in 1867 and 1868, he was a representative of Portsmouth in the state legislature.

His first marriage was with Louise, daughter of James Sheafe, Esq., in 1827. She died in 1828, leaving one daughter. His second marriage was with Margaret, daughter of John Houston, Esq., of Exeter, who bore him four children.

NATHANIEL APPLETON HAVEN.

Son of Hon. Nathaniel A. and Mary Tufton (Moffat) Haven ; born, Portsmouth, January 14, 1790 ; Harvard College, 1807 ; admitted, 1811 ; practiced, Portsmouth ; died there, June 3, 1826.

Though Mr. Haven's health was delicate through most of his life, he was fitted for college at Phillips Exeter Academy at the age of thirteen, and graduated A. B. with honors when he was seventeen. The year following he was an assistant teacher at Exeter, and in 1809 relinquished the idea of preparing himself for the ministry, as he was early inclined. He began the study of the law under Jeremiah Mason in Portsmouth. Notwithstanding his precocious development and his ample patrimony, young Haven possessed habits of systematic industry and self-improvement, and pursued a course of useful reading and study that reached far

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beyond the ordinary limits of legal science. In 1815 he fulfilled a long-cherished design of making a tour in Europe.

On his return he set himself at work in his profession, not, however, so much for its emoluments, which he did not need, as for a useful pursuit in life. He was the special attorney of the poor and the helpless. He showed in his legal practice, as in all else, his conscientious desire for justice, his thorough training, and his methodical professional habits.

His efforts for the improvement of his townsmen were many. He superintended a Sunday-school, which brought under instruction great numbers of the ignorant and neglected youth of Portsmouth; he took deep interest in the common schools, did much to increase the usefulness of the Athenæum, and was one of the founders and president of a society of young men formed for the purpose of literary exercise and forensic debate.

In 1821 he assumed the editorial control of the "Portsmouth Journal," and conducted it for the succeeding four years. His high personal character, his literary culture, and his carefully formed opinions, gave it peculiar weight and influence. Two years he served as a representative in the General Court, where his qualifications as a legislator and his excellence as a public speaker made his services of great value.

After his death a volume of his literary remains was printed for private circulation by his family, in which his orations on public occasions, and specimens of his editorial writings, of his poems, and of his correspondence, were included.

Mr. Haven was married, January 8, 1816, to his cousin, Eliza Wentworth Haven of Portsmouth, and had several children, of whom two, daughters, long survived him.

CARLOS G. HAWTHORNE.

Son of Calvin and Rachel (Jackman) Hawthorne; born, Hopkinton, September 19, 1827; admitted, 1854; practiced, Hopkinton; died there, March 10, 1892.

Up to the age of eighteen Mr. Hawthorne worked upon a farm. Two years later he qualified himself to teach a school in Concord. He finished his education at the Gilmanton Academy, and then spent about three years as an instructor in Granby, Massachusetts, and Chicago, Illinois. Meantime he had been reading law, and began to practice in Dubuque, Iowa, in 1854.

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He remained in Iowa twelve years, engaged in law business and in real-estate transactions. While there he was two years assistant provost-marshal and four years attorney for the board of enrollment, performing the duties of Judge Advocate. In 1866 he returned to Hopkinton, and was in practice, a part of the time as partner of Herman W. Greene, to the time of his death. He was a prominent citizen and a well-known lawyer.

He was united in marriage, in March, 1850, to Frances P., daughter of Nichols S. Gilman of Gilmanton. They had one daughter.

ARCHIBALD MONROE HAYES.

Son of John and Abigail (Adams) Hayes ; born, New London, October 8, 1825 ; admitted, 1850 ; practiced, Pittsfield ; died, Hastings, Minnesota, October 31, 1868.

The subject of this notice gained his earlier instruction at the academies in New London and in Lebanon, and Samuel Butterfield of Andover was his law tutor. He commenced practice in Pittsfield in 1851, remained there three years, and then emigrated to Hastings, Minnesota. He was well spoken of, and accounted a good lawyer. In Minnesota he was appointed deputy provost-marshal for Dakota County, and served from 1863 to 1865, and also received the commission of paymaster in the army. From 1865 to the day of his death he was postmaster of Hastings. Ignatius Donnelly, who mentioned him by name in one of his books, described Mr. Hayes as " an honest man and a true friend."

He married Lois A. Sargent of New London, July 12, 1853, and left two daughters.

JOHN LORD HAYES, LL. D.

Son of Hon. William A. and Susan (Lord) Hayes ; born, South Berwick, Maine, April 13, 1812 ; Dartmouth College, 1831 ; admitted, 1835 ; practiced, Portsmouth ; died, Cambridge, Massachusetts, April 18, 1887.

Mr. Hayes was fitted for college at the South Berwick Academy, and studied law in his father's office and a year at the Harvard Law School. He practiced in Portsmouth from 1835 to 1841, and in the latter year was appointed clerk of the United States District Court for New Hampshire. That office he filled five years.

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In 1846 he became general manager of the Katahdin Iron Works Company of Maine for three years; then went to Washington, District of Columbia, and there practiced his profession from 1851 to 1861, when he was made chief clerk in the United States Patent Office. After four years' service in that capacity he was appointed secretary of the National Association of Wool Manufacturers, and so continued through the remainder of his life. His office was in Boston, his home in Cambridge, Massachusetts.

He was a man of various learning and accomplishments. In college studies a superior scholar, he gave yet more time to botany and mineralogy. He became later an expert in the knowledge of textile fabrics, and was made a judge in group of wools and woolens at the Centennial Exposition of 1876, and president of the Tariff Commission of 1882. On these subjects he was the author of numerous publications.

Mr. Hayes was one of the earliest supporters of the Free Soil movement in this State. He promoted meetings, and made many addresses in its behalf, but was not himself an aspirant for office.

As a lawyer he was fairly successful, considering the variety of his occupations, and was retained in some causes of magnitude and importance in Washington. Throughout his life he was a busy worker. Aside from his regular vocation he was a student of many sciences, a contributor to the press, a lecturer on various topics. Among his latest literary works, prosecuted while suffering with a painful malady, was the translation into English verse of several mediæval hymns, issued under the title of "Corolla Hymnorum Sacrorum."

His various publications on political, legal, and industrial subjects are said to number more than one hundred. He received his degree of LL. D. from Dartmouth College in 1878.

Mr. Hayes married, May 29, 1839, Caroline S., daughter of Alexander Ladd, Esq., of Portsmouth. They had two sons and three daughters.

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JAMES W. HAZELTINE.

Born, Dracut, Massachusetts, 1798; admitted, 1815; practiced, Francestown; died there, September 29, 1849.

Mr. Hazeltine read law under Levi Woodbury of Francestown and Aaron F. Sawyer of Mont Vernon, and commenced practice in Francestown. There he divided his time between law and agriculture the residue of his life. He owned a large farm, and was skillful in the management of it. Never a studious man, he was, of course, not a learned lawyer, but he was quick and sprightly, and understood human nature, and hence was no mean opponent. He also had the advantage of a good personal appearance. His usual antagonist was Titus Brown, a much better lawyer, but slower, and with little of the facility and fun that characterized Hazeltine; so that the latter, according to the testimony of one who knew them, was "able to hoe his row pretty well with Brown." Mr. Hazeltine was a peculiar man, and apparently had no ambition for public position or notice.

He was married in 1814 to Frances W., daughter of James Ray of Amherst, and had seven children.

HORACE LOVEJOY HAZELTON.

Son of Richard and Ruth (Durgin) Hazelton; born, Sanbornton, November 21, 1808; practiced, Meredith and Gilford; died, Hingham, Massachusetts, October 19, 1883.

Mr. Hazelton obtained his education at the Phillips Exeter Academy and at Dartmouth College, where, however, he only partially finished the regular course. He read law in the office of Stephen C. Lyford of Meredith, and there commenced practice, about the year 1833. In that town and in Gilford he continued to reside until 1847, his office being in the village of Meredith Bridge. He held the position of bank commissioner in 1846.

He removed to Boston, Massachusetts, in 1847, and remained in practice there during the remainder of his active life. He received the appointment of commissioner for New Hampshire, and was much employed in that capacity. He was an excellent business lawyer, careful and accurate, and was probably little engaged in the courts.

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His wife was Mary A., daughter of Daniel Tucker of Meredith Bridge, and a sister of the wife of Judge George Y. Sawyer, and he had two daughters.

MOSES KITTREDGE HAZELTON.

Son of David and Sarah (Colby) Hazelton ; born, Hebron, November 5, 1835 ; Dartmouth College, 1857 ; admitted, 1859 ; practiced, Bradford ; died, Memphis, Tennessee, August 3, 1863.

Mr. Hazelton's preparation for college was at the Kimball Union Academy in Plainfield, and his law study in the offices of J. Everett Sargent at Wentworth, and of John S. Wells at Exeter. On his admission he became a partner in practice with Mason W. Tappan at Bradford. Two years had scarcely passed when the attack on Fort Sumter excited and solidified the Union sentiment at the North. Mr. Tappan, the senior partner, a Republican of Free Soil antecedents, was commissioned colonel of the First New Hampshire Volunteers; and Mr. Hazelton, a decided Democrat, enlisted therein, and was appointed paymaster of the regiment, and in that capacity proceeded to the front.

In June, 1861, he was made additional paymaster of the United States Army, and in September following began his duties with the armies in the field. His labors were arduous and highly responsible, and "he worked until he could work no longer." He died in the military hospital in Memphis, Tennessee.

He was never married.

DAVID HEALD.

Son of Oliver and Lydia (Spalding) Heald ; born, Temple, March 21, 1768 ; Dartmouth College, 1793 ; practiced, Temple and Washington ; died, Washington, January 2, 1841.

Mr. Heald completed his professional studies in Northampton, Massachusetts, and was in practice in Temple as early as 1797, but remained there only two or three years before he decided to cast his lot in Washington. In the latter town he practiced for the rest of his life, — something over forty years. He held repeatedly positions of trust in the town, and was its representative for twelve consecutive years, beginning in 1802. He is

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reputed to have been a good scholar, and much interested in education. His practice was fair and honorable, he was modest and unobtrusive, his integrity was never questioned, and he had the friendship and esteem of his associates at the bar.

He was married, in 1810, to Phebe, daughter of Jacob Burbank of Washington, and had two daughters and a son.

WILLIAM TOWNSEND HEYDOCK.

Son of William and Abigail Eastman (Webster) Hadduck; born, Franklin, April 4, 1798; Dartmouth College, 1819; practiced, Hanover and Concord; died, Hanover, November 6, 1835.

Mr. Heydock (as he wrote his name) was a nephew of Daniel Webster, and had a good share of that intellectual force which belonged to the great orator's family. He studied law with his distinguished uncle, and being admitted in 1822, made a beginning in practice in Hanover. Two years later he removed to Concord, and lived there about five years, in which time he prepared and published, anonymously, the "New Hampshire Probate Directory," a work of real utility and value. His practice was probably not extensive, and having much facility with the pen, he next removed to Boston, and there edited a law journal called "The Jurisprudent." In 1831 he changed his residence to Lowell, Massachusetts, until his death, which took place while he was on a visit to Hanover, the home of his brother, Professor Charles B. Haddock.

He was well read in his profession, but seems not to have been of a practical turn. He was ambitious to have a large "docket," and entered and continued a great number of actions that brought him no returns for his services and disbursements. He was better fitted to be a law writer, or special practitioner, than for the varied labors of a country attorney.

Mr. Heydock's wife was Jane Eliza, daughter of Mills Olcott of Hanover. They were married in 1823.

WILLIAM HEYWOOD.

Born, Lunenburg, Vermont, October 6, 1804; admitted, 1831; practiced, Lancaster; died there, April 22, 1893.

Vermont has furnished New Hampshire with a goodly propor tion of her lawyers of prominence, especially along the line of the

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Connecticut. Mr. Heywood obtained his early education at the Concord Academy in Vermont, and studied law with Charles Davis of Waterford and Danville in that State, and with William A. Fletcher of Detroit, Michigan. He was admitted in Guildhall, Vermont, and lived there, practicing in the courts of both States, till he came to New Hampshire to reside, in 1856. He was a member of the Vermont Senate in 1837 and 1838, and of the constitutional convention of 1850, and state's attorney for Essex County for fifteen years.

He removed his home to Lancaster in 1856, and still continued to practice in both States, his record in the judicial reports being at his decease unprecedented, extending from the eighth volume of the Vermont Reports a period of fifty-one years, and in those of this State from the thirteenth volume to the sixty-third. Mr. Heywood's profession was his engrossing interest. He had his fixed political opinions, and was never behind in his knowledge of current events, but all else was secondary to his legal duties. Like Rufus Choate, he cared less for his fees than for success in his cases.

He was a quiet, undemonstrative man, of few words, but of matured opinions, based upon sound sense and careful reflection. He was hasty in temper, but bore no malice. He was engaged in trials and hearings almost to the last day of his long life. His style of speech was brief, but his words were pregnant with meaning. His manner was grave almost to solemnity, save for an occasional flash of humor, which came as a surprise, to light up his discourse. His countenance, however, retained its fixed, sober expression, reminding one of the sombre lineaments of the "great stone face" of the Profile Mountain.

He won and ever retained the unqualified respect of the bar and the community by his undoubted ability, his long and honorable legal career, and his unchallenged high moral and religious standing. At his decease he was the eldest practicing counselor in the State, and had been the president of the Grafton and Coös Bar Association since its formation in 1882.

His wife was Susan, daughter of Hon. David Hibbard of Concord, Vermont. They had a daughter and three sons, one a lawyer.

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HARRY HIBBARD.

Son of David and Susanna (Streeter) Hibbard ; born, Concord, Vermont, July 1, 1816 ; Dartmouth College, 1835 ; practiced, Bath ; died there, July 28, 1872.

Mr. Hibbard read law with Isaac Fletcher of Lyndon, Vermont, and with Jared W. Williams of Lancaster. He began practice in Bath in 1839. He distinguished himself early. In the case of *State* v. *Comings*, indicted for the murder of his wife, Mr. Hibbard, though only twenty-eight years of age, was intrusted, in the absence of the attorney-general, with the responsibility of conducting the prosecution through all its stages. Comings was defended by Leonard Wilcox and Josiah Quincy, keen and strong counsel, and the trial in the Superior Court occupied about three weeks. Mr. Hibbard was senior counsel for the State, made the closing argument to the jury, and secured the conviction of the prisoner. His success gave him a sort of patent of precedence in the bar from that day.

He entered young into the political arena. His first introduction to the platform is said to have occurred in this wise. He attended a political meeting on one occasion, and with fortunate foresight prepared himself beforehand with a speech, although his chances of being called upon were infinitesimally small. But the unexpected happened; there was a dearth of orators, and the committee were in a strait for a speaker. Mr. Hibbard let it be known that he was ready, was eagerly invited, and made the audience so good a harangue that his political fortune was secured. His promotion was rapid. Assistant clerk and clerk of the House from 1839 to 1843, he was a representative and Speaker in 1844 and 1845 ; a state senator the next three years, and president of the Senate two ; and from 1849 to 1855 a representative in Congress. He had no desire for further political honors, and is said to have declined a high foreign appointment offered him by his friend, President Pierce.

His taste inclined him to literature, and he wrote in his earlier life for the periodical press. Some of his poetical effusions appeared in the "Democratic Review," and one, a descriptive poem entitled the "Franconia Mountain Notch," was especially admired. He was an accomplished and genial man, full of pleas-

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ant humor, and a most entertaining companion. He could even make a joke of a political reverse. When his party failed, on one occasion, to maintain their accustomed ascendancy, a political opponent jestingly inquired, "How is Democracy now?" "Looking up," replied Hibbard, "as every one must be when flat on his back."

He was a thorough lawyer, of quick and keen discrimination, earnest and honest, and with peculiar qualifications for managing jury trials. His treatment of witnesses was especially skillful, and his power of argument felicitous. Much to the regret of all parties, an appointment to the bench of the Supreme Court, offered him in 1871, his health compelled him to decline.

He married, May 13, 1848, Mrs. Sarah King Bellows, daughter of Hon. Salma Hale of Keene. They had no children.

FRANK HILAND.

Born, Langdon, October 10, 1842; Dartmouth College, 1869; practiced, Manchester; died there, November 25, 1878.

Mr. Hiland was fitted for college at the academy in New London. His law studies he pursued with Morrison and Stanley at Manchester, and upon their completion in 1872 he was admitted a partner in that firm. His talents were brilliant, his habits were studious, and one who practiced beside him says that "he never knew a young man of his age who could try a case as he could." He was universally popular, a member of several social organizations, and was elected a representative in the legislature in 1874 and 1875, and in the latter year was the candidate of the minority party for Speaker. About that time his habits became dissipated to such an extent that he was for a while secluded in an asylum, and although partially restored to himself, he never entirely mastered the easily besetting propensity for strong drink which proved his ruin.

CHARLES FREEMAN HILL.

Son of Jeremiah and —— (Libbey) Hill; born, Limerick, Maine, June, 1822; admitted, c. 1845; practiced, Wolfeborough; died, Newark, New Jersey, February 12, 1889.

This gentleman was educated at Limerick Academy, and studied his profession with his uncle, Joshua Hill, at Bangor, Maine.

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There he was admitted to the bar. He practiced at Searsport in the same State until 1851, when he came to Wolfeborough. In the fourteen years of his residence there "he acquired a lucrative practice, and was a leading member of the Carroll County bar." He was, in the opinion of Joel Eastman, a strong advocate, and in point of ability and professional and personal character was of high standing. For some years he was postmaster of Wolfeborough.

In 1865 he left New Hampshire and removed to Newark, New Jersey, where he had a son established in the law. There he resumed practice, and ended his days.

He married, in 1848, Lavinia Parker, at Newmarket. They had three children.

DAVID HAMMONDS HILL.

Son of Oliver and Lucinda (Hammonds) Hill ; born, North Berwick, Maine, December 12, 1833 ; admitted, 1865 ; practiced, Sandwich ; died there, November 25, 1889.

Mr. Hill's ancestors were of the denomination of Friends. He prepared himself to enter college, at the academy in Wolfeborough, but by reason of ill health was not able to continue his studies. For several years he was a successful teacher of schools in three of the New England States. He then devoted his attention to the study of the law, in the office of Wheeler and Hall in Dover, and afterwards in the Harvard Law School.

He began to practice in Centre Sandwich in 1865. In 1870 and 1871 he was a representative in the legislature, and was placed upon the Committee on the Judiciary. He also served some years as selectman and treasurer of Sandwich. In 1880 he was appointed Judge of Probate for the county of Carroll, a position suited to his inclination, and for which he possessed abundant qualifications.

Judge Hill was universally held in high esteem. He was a well-read lawyer, a man of sagacity and independent views, and of high personal character. He was successful in his practice at the bar, and as a judge showed in more than one instance that his judicial powers were of a superior order.

He was distinguished by many engaging personal qualities, by his genial companionship and kindness of heart. His literary

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accomplishments were notable; he was familiar with the poets, and was himself no mean versifier. He contributed to the "History of Carroll County" a chapter on the courts and lawyers, which showed much investigation and appreciation of character.

He married, June 4, 1865, Mary, daughter of William E. Moulton of Parsonsfield, Maine, and left a son and a daughter.

JOHN BOYNTON HILL.

Son of Rev. Ebenezer and Rebecca (Bancroft) Hill; born, Mason, November 25, 1796; Harvard College, 1821; admitted, 1825; practiced, Dunstable; died, Temple, May 3, 1886.

Mr. Hill's father was a faithful country clergyman; his grandfathers, maternal and paternal, were soldiers of the Revolution, the former an officer of some rank and note. From them he inherited in a marked degree the qualities of conscientiousness and courage. For a time after he left his *alma mater* he was employed as the principal of the Garrison-Forest Academy, near Baltimore, Maryland. He then pursued the study of the law at the Harvard Law School, and in the office of Benjamin M. Farley of Hollis. He practiced in Dunstable, now Nashua, two years; then in Townsend, Massachusetts, about four years; in Exeter, Maine, five years; and finally in Bangor, Maine, the scene of his chief legal labors, thirty years. There he was a partner of John Appleton, afterwards Chief Justice of Maine. Their firm was engaged in much of the most important law business of the time.

Mr. Hill was a born reformer, — an original anti-slavery man, and a prohibitionist. He was repeatedly a member of the state legislature, and had the honor of being the draughtsman of the first Maine liquor law.

In 1866 he retired from legal practice, and returned to his native place. He was at no loss for occupation, as his love for historical and antiquarian studies never flagged. In 1858 he published a history of his native town, and a memoir of his father. In 1868 he delivered a centennial address in Mason, and brought its history up to that date. Ten years later he furnished much valuable historical matter for a volume printed for Mr. E. H. Spalding of Nashua, upon "Old Dunstable." Besides these publications he prepared several pamphlets and many articles for the newspaper press, all marked by his characteristic thoroughness and accuracy.

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Mr. Hill married, in early life, Mrs. Rachel Parker, but was left a widower in 1832. They had one daughter, who died in infancy.

ABRAHAM HINDS.

Son of Benjamin and Rebecca Hinds ; born, Shrewsbury (now West Boylston), Massachusetts, c. 1778 ; admitted, 1805 (?) ; practiced, Lancaster and Hinsdale ; died, Hinsdale, January 20, 1832.

Mr. Hinds studied his profession in the office of Roger Vose in Walpole. He was, as early as 1806, in practice in Lancaster. The succeeding year he received the appointment of postmaster of the town, and was chosen recorder of deeds for the county of Coös. He continued to fill both offices for about four years.

In 1820 Mr. Hinds removed his residence to Hinsdale. There he resumed the practice of his profession, and also carried on a farm. From that place he was sent as representative in the legislatures of 1825, 1826, and 1827. He was not in the leading ranks of his profession, but he must have possessed a respectable position, if we can judge from the action of Williams College, which conferred the honorary degree of A. M. upon him in 1812, and of Harvard College, which paid him the same tribute nine years later. There are indications that he preferred political office to the hard drudgery of the law.

ELISHA HINDS.

Son of Benjamin and Rebecca Hinds ; born, Shrewsbury (now West Boylston), Massachusetts, February 7, 1784 ; Williams College, 1805 ; admitted, 1809 ; practiced, Littleton and Hinsdale ; died, Brooklyn, New York, 1854.

The first half of Mr. Hinds's college course was passed in Harvard, and he migrated to Williams for the remainder. Shortly after his graduation he accompanied his older brother, Abraham, on a horseback journey to Kentucky, and took charge of a high school near Lexington for a winter. Returning, he studied law with his brother in Lancaster. The first two years of his professional life he spent in Essex County, Vermont. About 1811 he settled in Littleton. He was the postmaster of the village for a number of years. As a lawyer he was careful, sharp, and untiring. He was one of the most exact and particular men in all his

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business, taking receipts for the most trifling sums of money paid, and noting down when and from whom he received every bank bill that he took. He had accumulated a considerable property, but about the year 1825 he undertook the management of an estate consisting of a farm and mills, without experience; he incurred debt for the first time, his affairs fell into confusion, and his savings were dissipated. He left Littleton about 1834 and removed to Hinsdale, where his brother had died about two years before. Whether he relied upon his profession in his new home is not known, but he became the keeper of a hotel there, in which he was not successful. He left the State about three years afterwards, and resided for brief terms in Troy, New York, and elsewhere, and at length settled down with his sons in the vicinity of New York city.

He married Susan, daughter of Samuel Learned of Littleton, and left five children.

NATHANIEL PIERCE HOAR.

Son of Hon. Samuel Hoar; born, Lincoln, Massachusetts, September 2, 1784; Harvard College, 1810; practiced, Portsmouth and Deerfield; died, Lincoln, Massachusetts, May 24, 1820.

This gentleman received his legal training under his brother, Samuel Hoar of Concord, Massachusetts, and Jeremiah Mason of Portsmouth, and was admitted an attorney in Rockingham County, in 1813, and settled at Portsmouth. He remained there till about 1819, when he removed to Deerfield, but stayed there only a little time, and then returned to Massachusetts.

Little has been learned of his professional qualifications or work, but an obituary notice published in the "Portsmouth Oracle" states that he was well read in his profession, was a gentleman of taste and vivacity, with many attached friends; that his judgment was sound, and his energy and decision marked; that in his later years he had to contend with trouble and disappointment which he bore with fortitude, and in which he enjoyed the consolations of religion.

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GEORGE FRANK HOBBS.

Son of Josiah H. and Rhoda D. (Chapman) Hobbs ; born, Wakefield, May 6, 1841 ; Dartmouth College, 1862 ; practiced, Wakefield and Dover ; died, Somerville, Massachusetts, October 7, 1891.

Mr. Hobbs obtained his preparatory education at the Phillips Exeter Academy, and read law with Charles Chesley at Wakefield, and with Jordan and Rollins at Somersworth. In September, 1864, he thought it his duty to enter the military service of the Union, and enlisting as a private, was at once appointed adjutant of the Eighteenth Regiment of New Hampshire Volunteers. He proceeded to the front, but was compelled by illness to resign his commission in April, 1865. He completed his law studies, and began the next year to practice as an attorney in Wakefield. He was at the bar but a little time before he manifested that he had in him the qualities for making a lawyer of the first order. In 1870 he removed to Dover. The two years succeeding, he was city solicitor; also in 1878 and 1879. He was a member of the school board also, a couple of years.

In the celebrated trial of Joseph B. Buzzell in Carroll County, for murder, he was associated with the attorney-general for the prosecution, and bore a prominent part. His reputation became extended, and his practice grew large and engrossing, until disease, occasioned by exposure while he was in the military service, prostrated his physical powers and at length caused mental alienation, so that he was compelled in 1879 to enter an asylum for the insane. He lived twelve years afterwards, but never recovered the light of reason.

It was said of Mr. Hobbs that he "flashed into distinction like a meteor in the starry midnight." In person and manners he was exceedingly prepossessing. His intellectual powers were strong, clear, discriminating, and ready for instant action. He handled the most intricate questions, and drew the most subtle distinctions, with lucidity and the ease of a master. He was styled "the first lawyer in New Hampshire of his years."

His amiable disposition, his modesty and generosity, his complete uprightness, his high sense of honor, and his lofty professional ideal, endeared him to all who knew him, and invested his fate with a melancholy interest.

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His wife was Emma J., daughter of Daniel M. Christie, LL. D., of Dover.

JOSIAH HILTON HOBBS.

Son of Benjamin and Sally (Hilton) Hobbs ; born, Effingham, November 2, 1795 ; Bowdoin College, 1820 ; admitted, 1824 ; practiced, Wakefield ; died there, June 18, 1854.

This gentleman fitted himself for college "mainly at home, and without help from anybody," and entered the sophomore class in Dartmouth University in 1817. On the discontinuance of that institution, in the spring of 1819, he joined the junior class of Bowdoin College. There he is said to have been in the foremost rank.

He entered the office of William Sawyer of Wakefield as a student, and on being admitted, became his law partner. Wakefield was his home as long as he lived, and the law his profession. He had a liking for the "black-letter" learning of the law, and was probably more familiar with it than any of his contemporaries in the State except Peyton R. Freeman.

He was fond of equity practice, and had much experience in it. He was not of those who would reform the ancient precedents by any change of their antique and redundant phraseology; the sonorous reduplicate diction of the early conveyancers and pleaders was music to his ear. His tastes and his favorite sphere of practice gained him the sobriquet of "Chancellor" Hobbs, which was given not in derision, but as a pleasant characteristic designation ; and he accepted the title in good part.

His friend and classmate, Philip Eastman of Saco, Maine, thus summarized his character: "Professionally he loved and sought the less-traveled paths of legal knowledge. He was indefatigable in the investigation of vexed questions and knotty cases. No object engaged his attention which he did not pursue with enthusiastic ardor and perseverance. As a lawyer he had the reputation of being sound and skillful. He was thoroughly read in equity principles and practice, and as a solicitor in chancery was thought by many to be *primus inter pares*, the field of his practice extending over the most populous and active business portion of his State. He was impulsive in his feelings and rather eccentric in some respects, but he possessed many generous and

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honorable traits of character, and at his death left many sorrowing friends."

Mr. Hobbs married, July 19, 1825, Rhoda, daughter of A. M. Chapman of Parsonsfield, Maine, and they had a family of ten children, five sons and five daughters.

ALBERT ELISHA HODGDON.

Son of Charles and Betsey (Adams) Hodgdon ; born, Barnstead, April 22, 1822 ; Dartmouth College, 1842 ; practiced, Barnstead ; died there, May 20, 1847.

Mr. Hodgdon studied his profession with Moses Norris at Pittsfield, and with Ira Perley at Concord, and entered into practice at Barnstead in 1846, but lived only a single year afterwards. He never married.

GEORGE ENOS HODGDON.

Son of Charles A. and Sophia J. (George) Hodgdon ; born, Barnstead, March 4, 1839 ; Dartmouth College, 1861 ; practiced, Portsmouth ; died there, June 11, 1891.

Mr. Hodgdon entered the office of John S. H. Frink of Portsmouth, as a student at law, immediately after leaving college. His patriotic feeling soon impelled him to enter the military service of his country. He was commissioned lieutenant in Company G of the Tenth Regiment of New Hampshire Volunteers, August 20, 1862, and a month afterwards proceeded to the field. His health suffered from the exposure of camp life so that he resigned, February 24, 1863. In June, 1864, he was appointed second lieutenant in the Veteran Reserve Corps, and in November was promoted to be captain. A lieutenant-colonelcy of a colored regiment was offered him, which he declined, and resigned from the service, March 29, 1866.

Returning to Portsmouth, he became a lawyer and a citizen of popularity and prominence. He was chosen city solicitor in 1875 and 1876 ; representative in the legislature in 1875, 1887, 1889, and 1891 ; alderman and member of the board of education in 1886 ; and mayor of the city in 1888 and 1889.

He was a fine scholar, particularly in Greek, and became much interested in his later years in history and genealogy. He pub-

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lished in the "Portsmouth Journal" a series of notes and additions to the text of Adams's "Annals of Portsmouth," and had prepared for publication histories of one or more families of early prominence. He was very popular in the ranks of the Grand Army of the Republic, and filled several of the chief offices in the association, state and local. In the law he was said to have been capable of doing more than he did, if he had been ambitious for distinction.

He was twice married, and by his first wife had two daughters.

MOSES HODGDON.

Son of Captain Shadrach Hodgdon; born, Dover, 1774; admitted, 1801; practiced, Dover and Exeter; died, Dover, October 9, 1840.

Mr. Hodgdon entered Harvard College, and nearly completed his undergraduate course, when for some cause not known, he left without taking his degree. He became a student at law in the office of William K. Atkinson of Dover in 1796, and about 1801 began practice in his native town, where, with the exception of a brief experimental residence in Exeter, he spent the remainder of his life.

He is said to have been a very careful, strong lawyer. He was not an advocate, and made no show in court, but he was sensible, thoroughly upright, and universally trusted. He was one of the few practitioners of this State who have contributed to the literature of the law. In 1806 was published in Dover, under his editorial charge, "The Complete Justice of the Peace," conformed to the practice and statutes of New Hampshire. It was a manual of real utility, and creditable to its editor, who with characteristic modesty veiled his identity under the description of "a gentleman of the profession."

Mr. Hodgdon was a representative of Dover in the General Court, and in 1801, at the invitation of the inhabitants of Dover, delivered a Fourth of July address, which was published.

He was a confirmed celibate, and by his irreverent juniors was commonly styled "Lord Bacon." As he grew older, he shrank from publicity. Hence, when Henry Mellen, the wit and rhymester of the bar, alluded to him in a poem called "The Old Bachelors," in these words, —

> "And Moses, Lord Bacon, by Hymen forsaken,
> Is never mistaken, but firm as an oak," —

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it is perhaps not to be wondered at that Mr. Hodgdon found little to relish in such a description of himself.

ARTEMAS LAWRENCE HOLMES.

Son of Nathaniel and Sally (Horr) Holmes; born, Peterborough, July 9, 1814; Dartmouth College, 1835; admitted, 1838; practiced, Peterborough; died, New York city, November 29, 1871.

Mr. Holmes studied law in the office of Samuel D. Bell in Concord, and practiced only a short time in his native town before taking his final leave of New Hampshire. He went to Galena, Illinois, about 1839, and there engaged in mercantile business. At a later date he removed to St. Louis, Missouri, and subsequently to New York city.

He married, first, Eliza Bloomer of Galena, Illinois, and after her decease, Emily Bloomer, her sister. He had three children. Two of them are lawyers in New York.

ASA HOLTON.

Son of Jonathan and Hannah (Olcott) Holton; born, Charlestown, November, 1786; admitted, 1815; practiced, Lempster and Claremont; died, Claremont, March 4, 1841.

Mr. Holton received an academical education in the place of his birth, and studied law there, in the office of Henry Hubbard. Immediately upon his admission as an attorney he proceeded to Lempster, and remained two years. He then removed his home permanently to Claremont. As a lawyer the evidence is that he ranked well, and was regarded as a safe counselor, though in advocacy he did not specially excel. His practice was good, and he was very much respected as a man.

He was married in October, 1818, to Orra Evarts, and had eleven children, several of whom are still living.

JOSIAH HOUGHTON.

The birthplace and parentage of Mr. Houghton have not been ascertained. He fitted himself for his profession at the Connecticut Law School, and in the office of Boswell Stevens of Pembroke. He was admitted an attorney in Rockingham County in 1820,

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and a counselor of the Superior Court in February, 1821, and settled as a practitioner in Deerfield in 1819 or 1820. As a lawyer and a member of society he appears to have been held in high regard. His life was brought early to a close by a pleuritic fever, caused by fatigue and excitement in the search for and recovery of a child that had wandered away from home. He died at the age of forty-three years.

He was married to Mary, daughter of Nathaniel White of Deerfield, and left one or more children.

LUKE HOWE.

Son of Dr. Adonijah and Sarah (Ripley) Howe; born, Jaffrey, March 28, 1787; Dartmouth College, 1811; practiced, Jaffrey; died there, December 24, 1841.

This gentleman's history belongs rather to the medical than to the legal profession, and may be found in Williams's "Biography of American Physicians." He qualified himself for the practice of the law under the instruction of Samuel Dakin of Jaffrey and of Samuel C. Allen and Nathan Dane of Massachusetts, in which State he was probably admitted to the bar in 1814. He began practice in his native town, but could have continued it but a year or two, as he changed his profession and took the degree of M. D. at Dartmouth Medical School in 1818.

He became a distinguished physician, and was chosen president of the Medical Society of New Hampshire, and an honorary member of that of Massachusetts. He published essays on scientific subjects, and introduced many improvements in surgical instruments.

His wife, whom he married in 1819, was Mary H., daughter of Hon. Peter Woodbury of Francestown, and widow of his brother, Dr. Adonijah Howe. He left a son and a daughter.

PHINEAS HOWE.

Son of Deacon Jonathan and Mary (Kimball) Howe; born, Hopkinton, c. 1776; Dartmouth College, 1798; admitted, 1805; practiced, Weare and Deerfield; died, Marcellus, New York.

For five years after his graduation from college, Mr. Howe taught school in Deerfield, and during that time probably completed his legal studies under the direction of Edmund Toppan.

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In the following year, and in 1808, he was a school teacher in Weare, and in that town practiced as a lawyer from 1808 to 1811. He thence returned to Deerfield, and there continued practice for three or four years, and then quitted the State. It is said that he went first to Maine, and then to Marcellus, New York, or its vicinity, where he died.

On the Fourth of July, 1801, he delivered an oration before the inhabitants of Deerfield which was deemed worthy of publication. His history in New Hampshire indicates that he was more successful as a teacher than as a jurist.

His wife was Jemima Brown. They had one son, born in Weare, February 13, 1807.

AARON BEEDE HOYT.

Son of Dr. Moses and Anna (Beede) Hoyt; born, Ossipee, July 10, 1802; Dartmouth College, 1822; practiced, Sandwich; died there, July 12, 1880.

This gentleman prepared himself for the law in the offices of Ira A. Bean of Sandwich, Daniel M. Christie of Dover, and Samuel Emerson of Sandwich. With Mr. Emerson he associated himself in business, and practiced about four years; but teaching being much more congenial, he became an instructor in the Chauncy Hall school in Boston, Massachusetts, for five years, and director and corresponding secretary of the American Institute of Instruction. Thence he went to Baltimore and established a private academy, which he conducted for ten years, and then returned to Sandwich and settled on a farm, teaching occasionally.

Mr. Hoyt was a man of marked individuality, a reformer of strong religious convictions, a tenacious memory, and vast information, and a born and most successful educator.

He was twice married; first, in 1827, to Catharine H., daughter of Augustus Blanchard of Sandwich, who died in 1866; second, in 1873, to Sarah A., daughter of Augustus Doeg, who survived him.

HENRY HUBBARD.

Son of John and Prudence (Stevens) Hubbard; born, Charlestown, May 3, 1784; Dartmouth College, 1803; admitted, 1806; practiced, Charlestown; died there, June 5, 1857.

Mr. Hubbard studied law with Jeremiah Mason of Portsmouth, and opened his office in his native town in 1806.

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A good measure of success attended him from the first. His manners were courteous and attractive, his powers were ready at his command, and as a native of the town he was known and trusted. Chosen moderator of the annual town meeting in 1810 (an office that he held many times subsequently), he was elected to the legislature in 1812, and ten other years out of the succeeding fifteen. The last three of those years, 1825, 1826, and 1827, he filled the Speaker's chair. In 1823 he was appointed solicitor for Cheshire County, and served until he was commissioned Judge of Probate in 1827. Two years after he was elected a representative in Congress, and retained his seat by successive reëlections until 1835. In that year he was advanced to the United States Senate, and sat there his full term of six years. In 1842 and 1843 he was governor of the State. From 1846 to 1849 he was assistant treasurer of the United States at Boston, after which he returned to his home in Charlestown, and to private life.

He was highly successful at the bar. He was indefatigable in his profession, and never spared the midnight oil. His temper was mild, and he treated all parties, even in the stress of opposition, with uniform courtesy. His legal knowledge was ample and always available. He was a ready speaker, and adapted his appeals skillfully to the audience he addressed. In law and in politics he made the most of his abilities and his opportunities.

He was married to Sally Walker Dean of Charlestown, November 30, 1813, and had several children. His eldest son was a lawyer, and a daughter was the wife of Chief Justice John J. Gilchrist.

HENRY HUBBARD, JR.

Son of Hon. Henry and Sally Walker (Dean) Hubbard ; born, Charlestown, June 21, 1817 ; Harvard College, 1837 ; practiced, Charlestown ; died, Bedford County, Virginia, June 11, 1876.

Mr. Hubbard pursued the study of the law in the office of his father in Charlestown, and attended the Harvard Law School, where he took his degree of LL. B. in 1840. He opened his office in Charlestown, and there remained in successful practice for more than a quarter of a century. He was solicitor of Sullivan County from 1845 to 1848. In 1867 he was compelled by failing health to seek a more moderate climate, and removed with his family to Bedford County in Virginia, where he spent the

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remainder of his life. He was highly esteemed as a competent and trustworthy counselor and a public-spirited citizen.

His wife, to whom he was united June 6, 1850, was Louisa, daughter of Deacon Benjamin West. They had six children.

AARON P. HUGHES.

Son of Barnet and Jane (Wilson) Hughes; born, Windham, May 7, 1815; admitted, 1843; practiced, Nashua; died, Worcester, Massachusetts, February 23, 1864.

The father of Mr. Hughes was a carpenter, and sometimes acted as the local auctioneer; tonguey, witty, and clear headed. The son was bred to his father's trade, and practiced it until by an accident he lost his left arm. He was a member of a debating society, and, evincing much readiness in public speaking, determined to become a lawyer. For this he prepared himself in the office of Aaron F. Sawyer of Nashua, and on completing his studies, settled in business in that place.

He was greatly interested in political affairs, and was a member of the national convention which nominated Zachary Taylor for the presidency. He was postmaster of Nashua and Nashville from 1849 to 1853. In 1854 he was an influential member of the state legislature. Being a "Webster Whig," when the Republican party was formed in 1856, he took sides vigorously with its opponents. In 1860 he was a delegate to the national Democratic convention, in which he gave his support to Stephen A. Douglas. Two years' service in the legislature, in 1861 and 1862, completed his political career.

Mr. Hughes was a successful man of business, of probity and good morals, and an excellent public speaker. His strength lay largely in his rhetorical faculty, as he was not remarkable for the depth of his reasoning, nor for profound legal learning. He was a zealous Freemason, and held the office of Grand Master of the State.

His death occurred while he was absent from his home on a business errand.

He was joined in marriage, November 17, 1845, to Charlotte Lock, daughter of Aaron F. Sawyer of Nashua, and left two sons.

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DANIEL HUMPHREYS.

Son of Rev. Daniel and Sarah Humphreys; born, Derby, Connecticut, c. 1739; Yale College, 1757; practiced, Portsmouth; died there, September 30, 1827.

Mr. Humphreys was the brother of Colonel David Humphreys, aide to Washington, and like him had various accomplishments, being described as "preacher, poet, grammarian, and district attorney." He probably acquired his professional education in Connecticut, and remained in practice there some years before coming to New Hampshire. In 1764 or thereabout he was in Boston, Massachusetts, and a deacon of the newly established religious society of Sandemanians. Not long afterwards he removed to Danbury, Connecticut, and officiated as elder of a similar society in that place.

He was admitted to the Superior Court of New Hampshire in 1774, and settled in Portsmouth. He sat in the convention to revise the Constitution of the State in 1791–92. In 1804 he was given the appointment of United States District Attorney for New Hampshire, and continued in the discharge of its duties until his death. He was a lawyer of respectable learning, faithful and conscientious. For many years he was a principal member and preacher in the Sandemanian society of Portsmouth. One of the tenets of this sect of Christians was not to employ a hired ministry. The society was considerable in point of numbers, and was composed in no small part of persons of intelligence. Mr. Humphreys carried his feeling against the paid clergy to such an extent that he would not remain in the court-room while the salaried minister made the prayer at the opening of the session of the court.

Most of his published writings were of a polemical character. In 1792 he issued an "American Grammar." His poetical compositions, if any, are supposed to have appeared in the periodical press.

Mr. Humphreys's wife was a sister of George King (afterwards George Atkinson), and he had two sons, both of whom died before their father.

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SAMUEL HUNT.

Son of Colonel Samuel and Esther (Strong) Hunt ; born, Charlestown, July 8, 1765 ; admitted, 1790 ; practiced, Alstead and Keene ; died, Gallipolis, Ohio, July 7, 1807.

The subject of this sketch received a good education for his time and place. He pursued his law studies in the office of Benjamin West of Charlestown. He opened an office for a little time in Alstead, but soon removed to Keene, where he remained for about five years, which was the total of his professional life.

He then returned to Charlestown, and for a while became a contributor to "The Farmer's Museum," edited by Joseph Dennie, and supported by a club of young professional men of literary ability. For some cause not known he next went to Europe, and remained away nearly three years, passing most of the time in France. On his return he pursued the occupation of a gentleman farmer, which he mingled to some extent with politics, so that his townsmen sent him to the state legislature, from which he was transferred to a seat in the Congress of the United States in 1802. The next year he was reëlected, and served through the Eighth Congress, but became disgusted with political life and refused any further candidacy. He had a controversy with Gideon Granger while he was in Washington, and sent him a challenge which Granger sensibly declined ; thereupon Hunt posted him as a coward.

Mr. Hunt possessed good native capacity, and sufficient education, but he was eccentric, and had little control of his strong passions.

In politics he agreed with neither party, but held peculiar notions of his own. He formed a project of colonizing a tract of territory in Ohio, and induced a number of his neighbors to join in the enterprise. About the year 1805 they took their departure, Hunt on horseback, while others were obliged to walk, and all arrived safely at their destination, French Grant, as it was then called, now known as Gallipolis. The place proved unhealthy ; all were attacked by disease, and few ever returned to tell the tale. Hunt was one of the victims.

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NATHANIEL HUNTOON.

Son of Nathaniel and Hannah (Webster) Huntoon ; born, Salisbury, March 26, 1785 ; Dartmouth College, 1808 ; practiced, Portsmouth and Newmarket ; died, Portsmouth, July 2, 1816.

This is one of the numerous cases where early death has made the biographer's task a short one. Mr. Huntoon studied his profession with Samuel Green of Concord, and established himself in Portsmouth about 1812. Two or three years afterwards he went to Newmarket, but his stay there was brief, for his death by a rapid consumption speedily followed.

JOHN HURD.

Son of John and Elizabeth (Mason) Hurd ; born, Boston, Massachusetts, December 9, 1727 ; Harvard College, 1747 ; practiced, Haverhill ; died, Boston, Massachusetts, July 19, 1809.

This gentleman has been regarded as a lawyer, though it is not known that he was bred to the profession. He appeared in New Hampshire about the time of the last royal governor, of whom he was a favorite. His residence was erelong fixed at Haverhill, which, mainly by his exertions, was made a shire town of Grafton County. In 1772 he was made Chief Justice of the Inferior Court of the county. Friendly though he was to Governor Wentworth, he was a decided Whig when the Revolution began. He was a prominent member of the fourth and fifth provincial Congresses, and held high civil and military offices under the peoples' government, among them that of first Justice of the Court of Common Pleas of his county. In fact, he wielded for a time the chief authority in his section of the State. The jealous hostility towards the "Exeter government," which prevailed awhile in the towns along the Connecticut River, disappointed and disgusted him, and about the year 1777 he returned permanently to Boston.

In 1773 Dartmouth College gave him the degree of A. M.

His wife, Elizabeth, died in Boston in 1779. He had two sons.

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HENRY HOWARD HUSE.

Son of Thomas M. and Elizabeth (Scobey) Huse ; born, West Fairlee, Vermont, May 31, 1839 ; admitted, 1864 ; practiced, Pittsfield and Manchester ; died, Concord, September 7, 1890.

A graduate of the high school in Lowell, Massachusetts, Mr. Huse studied law with John J. Pillsbury in Pittsfield. In 1861 he was mustered into the military service of the country as a captain in the Eighth Regiment of New Hampshire Volunteers. In July, 1863, he was promoted to the majority, but in September following was compelled to leave the army by illness, and was honorably discharged. He settled in practice in Pittsfield in 1864, and in 1868 removed to Manchester as partner of Lewis W. Clark, and afterwards of James F. Briggs. He was a representative in the legislature in 1877 and the two succeeding years, in the latter of which he was chosen Speaker. His interest in political matters, and his administrative qualities, led to his appointment to the responsible post of chairman of the Republican State Central Committee, for several years. In 1888 he was appointed state insurance commissioner, and filled that position until his decease.

He was a man of popular personal qualities, an excellent officer, military and civil, and of much native ability. One of his business associates describes him thus: "He had a good legal mind, managed a witness skillfully, and argued causes well ; and if he had applied himself closely to his profession, and had not allowed his attention to be diverted to politics, he would have been a very successful lawyer."

He was married, in 1869, to Frances A. Rich of Hollis. She died in 1873, and he married Irene A. Poole of Rockland, Massachusetts. He had six children, of whom three survived him.

ARTHUR EDWIN HUTCHINS.

Son of Chester C. and Jane (Swan) Hutchins ; born, Bath, September 2, 1838 ; Dartmouth College, 1857 ; admitted, 1860 ; practiced, Bath ; died, "Wilderness," Virginia, May 6, 1864.

Mr. Hutchins prepared himself for the bar by study in the office of Alonzo P. Carpenter in Bath, and at the Harvard Law

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School, and opened his office in his native town in 1860. But soon the drums beat to arms the country through, and he quitted his profession and entered the Eleventh Regiment of New Hampshire Volunteers as a first lieutenant. When the bloody battle of the Wilderness was fought in Virginia, May 6, 1864, Lieutenant Hutchins was serving upon the staff of General Simon G. Griffin, and gave the final proof of his devotion to his country by meeting his death bravely in the field.

GEORGE WASHINGTON HUTCHINS.

Son of Colonel James Hutchins ; born, Bath, 1809 ; admitted, 1835 ; practiced, Bath ; died there, August 4, 1839.

Mr. Hutchins was of feeble bodily constitution, and left Dartmouth College after two years' study there, without completing the course. He read law in the office of Goodall and Woods at Bath, and on his admission, entered into partnership with Jonathan Smith, then in practice in that place. But he lacked the health and vigor to perform the hard work of a country practitioner, and succumbed early to disease.

HAMILTON HUTCHINS.

Son of Abel and Elizabeth (Partridge) Hutchins ; born, Concord, July 10, 1805 ; Dartmouth College, 1827 ; practiced, Concord ; died there, April 6, 1851.

It was with Samuel Fletcher of Concord, and with Richard Fletcher of Boston, Massachusetts, that Mr. Hutchins acquired his preparation for the bar. He began practice in Boston in 1830, but returned shortly to Concord as partner of George Kent, for a time. He was not much in the courts, but he performed his professional duties with skill and correctness, and was esteemed for his probity and amiable disposition. The last ten years of his life he was the treasurer of the New Hampshire Mutual Fire Insurance Company.

His wife was Mary, daughter of Daniel Chandler of Lexington, Massachusetts. They were married October 30, 1835.

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WILLIAM WALLACE HUTCHINS.

Son of William and Martha (Newell) Vance Hutchins ; born, Bath, July 12, 1824 ; Dartmouth College, 1845 ; admitted, 1848 ; practiced, Bath ; died, Concord, November 3, 1857.

Mr. Hutchins is remembered as being while in college an amiable rather than a specially studious young man. He was a student at law in the offices of Samuel Ingham of Essex, Connecticut, and of Harry Hibbard of Bath. In the latter place he began practice, and with the exception of a short period of service at Haverhill as assistant clerk of the Court of Common Pleas, remained there during the active portion of his life. Before his decease he was removed to Concord on account of mental alienation.

AARON HUTCHINSON.

Son of Rev. Aaron and Margaret (Carter) Hutchinson ; born, Connecticut, 1755 ; Yale College, 1770 ; admitted, c. 1781 ; practiced, Lebanon ; died there, April 24, 1843.

Mr. Hutchinson was a Bachelor of Arts at the age of about fifteen. He studied for the ministry and preached awhile, among other places at Antrim in 1778; but by reason of the failure of his voice, as is said, he gave up the idea of a clerical life, and turned his attention to the law. It is stated that he first practiced a short time in Grafton, Massachusetts, where his father had long been pastor, and afterwards in Norwich, Vermont, before he came to Lebanon in 1783. His name appears among those of the attorneys who attended the Court of Common Pleas in Cheshire County in July, 1782.

He was at first almost the only lawyer in Grafton County. For some years he regularly attended the courts in Cheshire County, as well as in his own, and also in the adjoining county of Orange, in Vermont. He was appointed the first solicitor of Grafton County in 1789, and represented Lebanon in the legislatures of 1802, 1803, and 1805. He was accounted a good lawyer, and had an extensive practice. His method, as was that of his time, was to try causes upon their merits, to make as much as possible of the equities of his clients, without much regard to technicalities.

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In fact, few of the judges of the courts in which he appeared had any idea of technicalities.

In addition to his law business Mr. Hutchinson carried on farming, and was successful in accumulating property, so that he lived handsomely, and was enabled to give his sons a collegiate education. When he changed his profession he lost none of his zeal for religious things, but all through life, as was quaintly said, "would have disbursed half his estate to erect the house of the Lord." It is stated of him, too, that he believed in the existence of witches, — a curious fact, considering he was a man of education, and lived into the nineteenth century.

Mr. Hutchinson was quite a gentleman of the old school, in dress and manners. He was well bred and courtly, and to the last of his life constantly wore knee-breeches and a ruffled shirt.

He married Eunice Bailey of Lebanon, in 1784. She died a number of years before him, and for some time afterwards he lived alone in his house, like a hermit.

Two of his sons were of their father's profession.

EUGENE HUTCHINSON.

Son of Benjamin and Susan (Peabody) Hutchinson; born, Milford, 1784; admitted, 1814; practiced, Pelham, Goshen, and Milford; died, Milford, February 7, 1854.

Little has survived to be narrated of this gentleman. He was a member of Dartmouth College awhile, but without graduating. He studied his profession with Nathaniel Shattuck of Milford, and practiced first in Pelham, afterwards in Goshen, and finally returned to his native town, and there divided his attention between law and agriculture during the remainder of his life. He is said for some time to have been given to convivial habits.

His wife was Susan, daughter of David Danforth. They had a son and two daughters.

HENRY HUTCHINSON.

Son of Aaron and Eunice (Bailey) Hutchinson; born, Lebanon, March 20, 1785; Dartmouth College, 1804; admitted, 1807; practiced, Hanover; died, New York city, September 15, 1838.

Mr. Hutchinson pursued his legal studies in the office of his father in Lebanon, and was admitted to the bar of Grafton County. He opened an office in Hanover about 1807.

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His business was not large, and he obtained the position of clerk of the state House of Representatives in 1813, 1814, and 1815. Some years afterwards he lost his wife by death, and was left with the care of five young children. Somewhere about the year 1826 he removed to the city of New York, in the hope of bettering his condition, and was, for a time, in the office with Charles Walker, a son of Charles Walker, Esq., of Concord. It has been said that he was more successful in his practice in New York, being one of the few lawyers who remained in the city during the epidemic of cholera in 1836.

In 1813 he was united in marriage with Mary, daughter of Professor Bezaleel Woodward of Dartmouth College. She bore him five children.

JAMES HUTCHINSON.

Son of Aaron and Eunice (Bailey) Hutchinson; born, Lebanon, December 2, 1786; Dartmouth College, 1806; practiced, Lebanon; died, Haverhill, April 25, 1877.

Mr. Hutchinson studied law, probably in his father's office, and went into practice about 1809 in the town of his birth. He was handsome, bright, and accomplished, and a great favorite of the ladies. Being the presumptive heir to a good property, he had no ambition to work, and fell into habits of dissipation. Twenty years after his marriage his wife separated from him, presumably on account of his irregular habits. The next year he went to New York city, where his brother Henry was in practice. But his mode of life was never corrected, and at length brought him to actual destitution. Finally he returned to New Hampshire, and was supported at the public expense during the remaining years of his life.

He married, in September, 1815, Eunice Marsh, daughter of Richard Kimball of Plainfield.

JOTHAM PATTEN HUTCHINSON.

Son of David and Lucinda (Patten) Hutchinson; born, Sidney, Maine, February 29, 1824; Waterville College, 1846; admitted, 1853; practiced, Laconia, Nashua, and Lake Village; died, Laconia, May 22, 1892.

Mr. Hutchinson prepared himself for college at the academy in East Machias, Maine, and read law with Thomas J. Whipple, his

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brother-in-law, at Meredith. On his admission as an attorney he opened an office in Meredith Bridge, now Laconia, and remained there nine years. In 1862 he removed to Nashua, and practiced there until in 1872 he received the appointment of corporation counsel and agent of the Winnepesaukee Lake Cotton and Woolen Manufacturing Company, which controlled a great extent of water power in and about Lake Winnepesaukee, for the use of divers manufacturing companies in this State and Massachusetts. This important and responsible post he administered for ten years, having his residence in Lake Village, now Lakeport, until he was disabled by an attack of paralysis, and resigned in 1883.

While in the pursuit of his profession, he was fully employed in the various state and United States courts, and acquired an excellent reputation as a jurist and a man of affairs.

He was actively public-spirited and patriotic. In the early days of the great Rebellion he voluntarily took charge of the recruiting in Gilford, and raised two full companies of volunteers for the army, being prevented from accompanying them in person to the front only by reason of military disability.

He was married, in June, 1851, to Abigail E. Hadley of Rumney. Their only son is a lawyer in Boston, Massachusetts.

WILLIAM H. JAMES.

Son of William and Elizabeth (Huntress) James ; born, Somersworth, 1821 ; admitted, c. 1847 ; practiced, Somersworth ; died there, May 15, 1854.

The subject of this notice was brought up in Great Falls Village in Somersworth, and educated in its schools. Gifted with a good capacity, he aspired to join the legal profession, prepared himself in the office of Ichabod G. Jordan of Somersworth, and entered into practice there in 1847. He lived but a few years afterwards, and died unmarried.

THOMAS JAMESON.

Son of Hugh and Jane (Barr) Jameson ; born, Dunbarton, 1771 ; Dartmouth College, 1797 ; practiced, Goffstown ; died there, June 10, 1813.

Mr. Jameson studied his profession with John Harris of Hopkinton, and was admitted in 1802 or 1803, and settled in Goffstown in the latter year. He came of Scotch-Irish stock, of a

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family somewhat prominent, and is represented as a brilliant man of large promise. From the few particulars that have been gleaned respecting him we learn that he was successful in the practice of his profession, and was cut off in the midst of his career, leaving a family of young children, for whom he had fortunately secured a sufficient pecuniary provision, for those days.

He married Isabella, daughter of Robert McGaw of New Boston, September 24, 1805, and had five children.

RUSSELL JARVIS.

Son of Samuel G. and Prudence (Davis) Jarvis; born, Boston, Massachusetts, 1791; Dartmouth College, 1810; practiced, Claremont; died, New York city, April 17, 1853.

This gentleman, whose name was originally Joseph Russell Jarvis, studied his profession with William C. Jarvis in Pittsfield, Massachusetts, and at the law school at Litchfield, Connecticut, and as early as 1818 was in practice in Claremont. He had apparently little liking for the law, but preferred journalism, and wrote much for the "New Hampshire Patriot." He left Claremont after four or five years for Boston, Massachusetts, and practiced law about six years in that city; then went to Washington, District of Columbia, and entered into company with Duff Green in the publication and editorship of the "United States Telegraph." In 1836 he was in Philadelphia as the editor of the "Public Ledger," and did much to give it the popular character which it has maintained. In 1839 he established the "World," which had but a short existence. He then took up his residence in New York city, where his principal occupation was journalism. He was the reputed author of the "Biographical Notice of Commodore Jesse D. Elliott."

He was married, in 1820, to Caroline, daughter of Hon. Judah Dana of Chelsea, Vermont. She died within two or three years, leaving an infant daughter. In 1824 he married, in Boston, Eliza, daughter of Thomas Cordis. She with their two children perished in the burning of the steamer Lexington in Long Island Sound, January 13, 1840.

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JAMES JEFFREY.

This gentleman appears to have acted as an attorney in the Superior Court of the province from 1717 to 1720. He was an inhabitant of Portsmouth, June 26, 1696, on which day a child of his was killed by a sudden incursion of the Indians. In 1711 he was a captain in the expedition against Canada. Five years afterwards he was appointed by the provincial Assembly clerk of the committee appointed to run the dividing line between New Hampshire and Massachusetts. In 1717 he appears to have been the subject of bankruptcy proceedings, and the same year was appointed coroner and notary public for the province. In 1721 he was chosen clerk of the Assembly, and continued in the office all or most of the time until January, 1744. It is probable that his death occurred soon after that date.

His wife, perhaps not his first one, was Anne, widow of Andrew Brock, mariner, of Portsmouth. He married her before 1720.

MOSES NOBLE JENKINS.

Son of James and Mary Jenkins ; born, Portsmouth, January, 1846 ; admitted, 1868 ; practiced, Portsmouth ; died there, August 5, 1872.

Mr. Jenkins undoubtedly obtained his education in his native place, studied law with Samuel H. Goodall there, and there opened his office for practice in October, 1868. He is described in an obituary notice as a "most promising young attorney, and a genial and beloved companion and friend."

JOHN SCRIBNER JENNESS.

Son of Hon. Richard and Caroline (McClintock) Jenness ; born, Deerfield, April 6, 1827 ; Harvard College, 1845 ; practiced, Portsmouth ; died, New Castle, August 10, 1879.

Mr. Jenness studied his profession at the Harvard Law School in 1847 and 1848, was in practice in Portsmouth the two succeeding years, and then removed to New York city. He became a prominent lawyer there, and remained in practice about twenty years, when, being the possessor of a large fortune, he retired from

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his profession. This he was induced to do by his inclination for literary and historical pursuits.

His studies in this direction produced their first fruit in a "Historical Sketch of the Isles of Shoals," written about 1873, and afterwards enlarged into a volume of which the second edition was published in 1875. Valuable as correct history, the work secured popularity by the picturesque and interesting style in which it was written. In 1876 he edited a volume of "Transcripts of Original Documents relating to the Early History of New Hampshire," containing some new and important papers, which Mr. Jenness had discovered in his researches among the public offices in England. In 1878 he printed a tract on the "First Planting of New Hampshire and on the Piscataqua Patents," and at the time of his decease he had partially completed a historical romance founded on events of the early period of Acadia. The value of his contributions to historical literature was recognized by several learned societies, which elected him to membership.

His fondness for music, poetry, and natural scenery led him to extensive travels in Europe. It was through his instrumentality that a permanent memorial of John Mason, the founder of New Hampshire, was erected, by himself and others, citizens of this State, at Portsmouth in England.

He left a widow and three young daughters.

CHARLES D. JOHNSON.

Son of Marcus D. and Maria (Marshall) Johnson ; born, Stratford, June 13, 1835 ; admitted, 1858 ; practiced, Stratford ; died there, October 29, 1860.

Two years of law practice and one of journalism constituted the adult life work of Charles D. Johnson. Upon his admission to the bar, he immediately started in his profession in (North) Stratford. The next year the "Coos County Democrat," a weekly newspaper, was removed from Lancaster to that place, and put under the editorial charge of Mr. Johnson. Before the close of another year consumption had numbered him among her victims.

CHARLES W. JOHNSON.

Bedford was the birthplace of this young member of the legal guild. He was not college bred, but he had a fair education, and

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much industry. He became a partner in practice with James U. Parker in Manchester about the year 1859, and is said to have died in that city two or three years afterwards. His professional standing was respectable, and he had acquired a good practice.

JOSEPH HAINES JOHNSON.

This person, said to have been a native of Newbury, Vermont, studied law in Keene, and practiced in Lyme five or six years from 1811. He then removed to Cincinnati, Ohio, and became a merchant of wealth and standing. A gentleman in manners, with fine intellectual endowments, his death revealed the fact that he led a dual life, and was also a skillful burglar and thief. In the pursuit of plunder, he entered in disguise a wholesale store by night, and fell through an open hatchway, where his dead body was found the next morning, and subsequently recognized. It was discovered on examination that his place of business had been fitted up with every convenience for the concealment of stolen goods.

HALE ATKINSON JOHNSTON.

Son of Captain Michael and Sarah (Atkinson) Converse Johnston ; born, Haverhill, June 19, 1801 ; Dartmouth College, 1825 ; admitted, 1829 ; practiced, Haverhill ; died there, January 27, 1831.

One year after graduating from college, Mr. Johnston taught in an academy in Northumberland, Pennsylvania, and then entered upon the study of the law, first with James McKeen of New York, and finally with Joseph Bell of Haverhill. In the latter place he opened an office, in 1829, after his admission, with encouraging prospects of success, when his health gave way, and he died of consumption, unmarried.

DANIEL JONES.

Son of Colonel Elisha and Mary (Allen) Jones ; born, Weston, Massachusetts, July 25, 1740 ; Harvard College, 1759 ; practiced, Hinsdale ; died there, 1786.

There is little doubt that Mr. Jones was the first lawyer who settled westerly of the Merrimac River, in New Hampshire. It

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has not been ascertained where he was prepared for his profession, but he was taxed rather heavily in Hinsdale in 1764, was town clerk in 1766, and in the commission of the peace in 1768. In 1771 he was appointed Chief Justice of the Inferior Court of Common Pleas for the newly constituted county of Cheshire. From that time to the beginning of the Revolution he was perhaps the leading man in the county. There is evidence that he did not favor the popular movement for independence, and he lost his judicial office in 1775, and much of his influence, though he was not molested.

He came somewhat to the front again, when, in 1780, some of the western towns of the State attempted to unite themselves with Vermont. He was a delegate to a convention called for that purpose, and the next year acted as a representative of Hinsdale in the Vermont legislature. He continued in the practice of his profession as long as he lived. The last act of his which appears upon the public records is his subscription to a petition to the General Court for the grant of a right of ferry over the Connecticut, in January, 1786.

He was married, and left four children.

JOSIAH JONES.

Son of Colonel Elisha and Mary (Allen) Jones ; born, Weston, Massachusetts, 1745 ; practiced, Hinsdale ; died, Annapolis, Nova Scotia, 1825.

This was a brother of Judge Daniel Jones of Hinsdale, and is set down as an attorney practicing at that place in 1775. Their father was a man of wealth and position, and a zealous loyalist. He had fifteen children, of whom but one was a daughter ; and she became the wife of Rev. Asa Dunbar, afterwards a lawyer in Keene. The father died about the time hostilities commenced, and several of the sons entered the British service. Josiah was one of these, and after the war he settled in Nova Scotia, and was made a Judge there.

Another son, Simeon Jones, was also at Hinsdale in 1775, and for two or three years previously, and was clerk of the Court of Common Pleas for Cheshire County, of which his brother Daniel was Chief Justice. He became a lieutenant in the king's American dragoons ; and after peace was declared received a grant of land in New Brunswick, but subsequently removed to Nova Scotia.

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ICHABOD GOODWIN JORDAN.

Son of Captain Ichabod Jordan ; born, Saco, Maine, October 6, 1806 ; Bowdoin College, 1827 ; admitted, 1830 ; practiced, Milton and Somersworth ; died, Berwick, Maine, February 21, 1873.

Mr. Jordan was trained for his profession under Judges Shepley and Goodenow in Maine, and soon after his admission proceeded to Milton to begin practice. His stay there was short, and he next established himself in Great Falls Village in Somersworth, until 1864, when he removed across the river to Berwick in Maine for the rest of his life. His practice before and afterwards, however, was divided between that State and New Hampshire, and he attended courts in both.

In New Hampshire he was a member of the state Senate in 1853 and 1854, and in Maine a representative, at a later date. He was a zealous Freemason, and two years presided over the Grand Lodge of this State. As a lawyer he maintained a good standing, was prudent and careful, though not rapid in his mental operations, and had an excellent practice.

He was married, in 1833, to Sarah, daughter of Hon. Jeremiah Goodwin of Alfred, Maine. Of their six children, two daughters outlived their father.

JOHN KELLY.

Son of Rev. William and Lavinia (Bayley) Kelly ; born, Warner, March 7, 1786 ; Dartmouth College, 1804 ; practiced, Henniker and Northwood ; died, Exeter, November 3, 1860.

Jeremiah H. Woodman of Meredith Bridge was Mr. Kelly's tutor in the law, and Henniker was the place of his earliest practice in 1808. In a short time he migrated to Northwood. Noted in college for his habit of reading, and his facility for composition in prose and verse, he early began to write for the public press, and was induced to take the editorship of the "Concord Gazette" for a year, but its strong partisan character was not to his taste. In 1826 and 1827 he represented Northwood in the state legislature, and in 1828 was clerk of the House. Though his occupation was the law, and he attended the courts with punctuality, and performed the business of his office with dili-

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gence, his literary and antiquarian proclivity was well understood. Among his writings was a series of valuable sketches of the early clergy of New Hampshire, published in the "Historical Collections" of Farmer and Moore.

In 1831 he was appointed register of Probate for the county of Rockingham, and changed his residence to Exeter. He never resumed legal practice afterwards, but after quitting the Probate office in 1842, was treasurer of the Phillips Exeter Academy until 1855. He was in 1845 a representative from Exeter in the General Court, in 1846 and 1847 a member of the executive council, and in 1850 a delegate to the constitutional convention. A year or two after coming to Exeter he assumed the editorial charge of the "News Letter," a weekly journal, and retained it upwards of fifteen years. Under his management it maintained a high character for accuracy and fairness; its editorials were attractive in style, and abounded in humor; and its columns were rendered valuable by his "Collectanea," the fruits of much historical and genealogical study and research. The work of the antiquary is apt to be repulsive to the many, but Mr. Kelly had the art to "sugar-coat" it with his genial humor and apt comments.

After inspecting the tombstones of a country burying-ground, containing generations of persons named "Hogg" and "Calf," he remarked to a neighboring rustic, — "I see that your people still bury their *swine* and *calves* in the cemetery!"

Mr. Kelly was an original member, and many years an officer, of the New Hampshire Historical Society.

He married, August 8, 1817, Susan, daughter of Andrew Hilton of Northwood, a descendant of Edward Hilton, one of the first settlers of New Hampshire. They had one son and four daughters.

JOHN KELLY.

Son of Simeon and Elizabeth (Knight) Kelly; born, Plaistow, July 22, 1796; Amherst College, 1825; admitted, 1828; practiced, Plaistow, Chester, and Atkinson; died, Atkinson, January 15, 1877.

Mr. Kelly had the advantage of the early instruction of John Vose at Atkinson, and Benjamin Abbot at the Phillips Exeter Academy, and became a teacher before and during his college course, thus aiding much to defray the expenses of his education.

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His instructors in the law were Stephen Minot of Haverhill and Elijah Morse of Boston, Massachusetts. In January, 1829, he opened an office in his native town. After about three years he became the principal of the Atkinson Academy, and remained there six years, when in the spring of 1838 he removed to Derry to assume the charge of the Adams Female Academy. In the winter of 1841 he resumed the practice of the law in Chester. He returned to Atkinson in 1845, to spend the rest of his days as an attorney and land surveyor, being particularly noted for his accuracy and skill in the latter capacity.

With good attainments in his profession, Mr. Kelly had less liking for the practice of it, especially the contentious part. He rarely engaged in the controversies of the courts, but was a careful counselor, and was rather extensively employed in probate affairs, where his correctness and trustworthiness brought him much business.

His fondness for music was a source of profit to him in his youth and of great delight at all times. He was respected for his knowledge and integrity, and liked for his amiable and attractive personal qualities. He had a quick perception of the ludicrous, and excellent powers of imitation. His memory was stored with anecdotes, and he could always produce from it something appropriate to any occasion. The stories he related came mended from his tongue by his inimitable manner of telling them.

He married, in 1829, Mary Chase of Plaistow. They had a son and two daughters.

AMOS KENT.

Son of Joseph and Jane (Moody) Kent ; born, Newbury, Massachusetts, October 16, 1774 ; Harvard College, 1795 ; admitted, 1798 ; practiced, Chester ; died there, June 18, 1824.

Mr. Kent received his early education at Dummer Academy in Byfield, Massachusetts, and read law in the office of William Gordon at Amherst. In November, 1799, he settled in Chester.

He had a vigorous constitution and powerful physique ; nothing pleased him so much as the most fatiguing and athletic exercises and boisterous and mirthful sports. When he had become master of some property by the death of his father, he devoted his energies to agriculture, and purchased lands largely, which he

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cultivated to his great pecuniary disadvantage. He was an enthusiastic patron and an officer of agricultural societies, state and county.

In 1814 and 1815 he was chosen to the state Senate. In 1816 Governor Plumer gave him the appointment of Judge of the Court of Common Pleas, but the political feeling engendered by the reörganization of the courts in that year induced him to decline the office.

He had the reputation of being a well-read lawyer, though he failed as an advocate. His mental powers were naturally strong and discriminating, but the confinement to study and to his office was irksome to him. He was "excellent company." Having a remarkable eye for the weak and ridiculous qualities in others, he could set them out in colors that challenged the gravity of the most sedate. He was of a convivial turn, which unfortunately led him into injurious habits, in the end. His death occurred at the age of forty-nine.

He was married, in 1799, to Abigail, daughter of Hon. Joshua Atherton of Amherst, and left a large family of children.

GEORGE KENT.

Son of William A. and Charlotte (Mellen) Kent; born, Concord, May 4, 1796; Dartmouth College, 1814; admitted, 1817; practiced, Concord; died, New Bedford, Massachusetts, November 8, 1884.

The life of this lawyer, cashier, poet, and journalist was a varied one. Studying law with Samuel Green of Concord, and William Sullivan of Boston, Massachusetts, he opened an office, first a brief time in Boston, then in Concord, where he remained till 1840 in the practice of law; he was twenty years also cashier of the Concord Bank, and six years associate editor of the "New Hampshire Statesman." In 1828 and 1838 he was a representative in the state legislature. He next went to Indianapolis, Indiana, and edited the "State Journal" there in 1833–34. Returning then to Boston, he remained ten years, as editor, law practitioner, and custom-house officer. In 1854 he went to Bangor, Maine, and was seven years the law partner of his brother, Edward Kent. President Lincoln in 1861 conferred upon him the post of United States consul at Valencia in Spain. Four years after, he returned to Bangor, and resumed practice till in 1869 he was given a

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clerkship in the Treasury Department in Washington. When at length he found that his powers were yielding to the infirmities of age, he went to live with a daughter in New Bedford, Massachusetts, and there tranquilly awaited his end.

Of the house in which Mr. Kent was reared, Daniel Webster said it was there that he first met intelligent and cultivated society, and that it was always adorned, enlivened, and made agreeable to all its guests by its admirable mistress. Mr. Kent was gifted with brilliant powers of mind, and the art of winning popularity and confidence. If he had concentrated his efforts upon any one of the callings that he undertook, he was capable of becoming eminent in it. But he was a rover from one place and occupation to another, and left little besides the memory of a very able and versatile man.

He was an early abolitionist, and entertained in his house George Thompson, who was then stigmatized as "the foreign emissary, paid to assail the institutions of our country." His wife was in perfect sympathy with him, was president of the Concord Female Anti-Slavery Society, and took a colored woman to sit beside her in her pew in church. This would be but a mark of eccentric taste at this day, but sixty years ago it was regarded as flat political heresy.

Mr. Kent was a man of mark in every situation, admired for his talents and excellencies, the friend and associate of scholars and persons of culture. His social qualities made his company most acceptable, and his literary accomplishments graced many public occasions. As early as 1832 he delivered an address before the Phi Beta Kappa society of Dartmouth College. Belonging in right of his mother to a family of poets, he may be said almost to have "lisped in numbers." He contributed a poem [1] to the exercises on the two hundredth anniversary of the settlement of New Hampshire; and to the celebration fifty years later he sent an ode, in no way lacking the vigor and vivacity of youth. From his boyhood to his old age he was ready to pour forth metrical effusions whenever called for, — always neat and appropriate, and often showing the gleam of poetic genius. His contributions to the periodical press in prose and verse must have been sufficient to fill volumes.

[1] The title and the date of this poem prove that Philip Carrigain was not the first to apply to New Hampshire the designation of the "Granite State," in 1824.

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Throughout his life he was remarkable for his cheerful temper and kindly heart. The death of his dearly beloved wife and of his only son rendered his life lonely, but never soured his sweet disposition. He was not harassed by ambition; his life was a well-ordered one, and he accomplished many things well.

He was united in marriage, November 2, 1820, to Lucia Ann, daughter of Hon. Daniel Farrand of Burlington, Vermont. They had one son and one or more daughters.

MOODY KENT.

Son of Joseph and Jane (Moody) Kent; born, Newbury, Massachusetts, April 22, 1779; Harvard College, 1801; admitted, 1804; practiced, Deerfield and Concord; died, Pittsfield, February 1, 1866.

Moody Kent read law in the office of Charles H. Atherton of Amherst, and established himself in practice in Deerfield, at the Parade. He remained there five years. In 1809 he took up his residence in Concord, which he felt to be a more congenial and promising professional field. It was not far from this time that he inherited from his father what was then considered a handsome sum of money, the nucleus of the large fortune that he afterwards accumulated.

For twenty-three years Mr. Kent continued in the diligent practice of his profession in Concord. He was a thorough lawyer, but had no ambition to make a display. A gentleman who remembers him at this period describes him as an acute, logical practitioner, and recalls a cause which Mr. Kent tried and managed well before a referee, against no less an antagonist than George Sullivan.

Mr. Kent had a good share of business, and was moderate in his charges. His wants were few and his expenses light, and his gains from his profession, with the income of his patrimony, were gradually making him wealthy. He had money to lend on good security, and made large loans.

He was never married, nor was he ever a householder. He usually boarded in some quiet family, where his regular habits, moderate wants, and courtesy and good temper made him a welcome inmate. Being a very Spartan in the simplicity and frugality of his habits, he had evidently laid down rules of living, from which he never departed.

He was fond of reading and writing and conversation. He

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maintained his familiarity with the ancient classics by habitually reviewing them, and regarded this practice as indispensable to a complete literary equipment.

At the age of fifty-three he retired from the practice of his profession with a competency of property. The later years of his life he passed partly in Concord, but chiefly in Pembroke and Pittsfield.

His large property of more than two hundred thousand dollars he gave by his will, after legacies of about one third of that amount to his relatives and family friends, to the New Hampshire Asylum for the Insane.

JOHN ADAMS KILBURN.

Son of George T. and Abigail (Tilton) Kilburn; born, Boscawen, September, 1826; Williams College, 1852; practiced, Alton and Concord (Fisherville); died, Fisherville, November 20, 1860.

Mr. Kilburn's professional career was a brief one. He practiced in Alton from 1856 or 1857 to 1859, and then removed to Fisherville on the borders of Concord and Boscawen, where, in the second year of his stay, his earthly life was terminated.

He married Frances M. Brickett of Fisherville, and had two children, one of whom, a daughter, survived him.

BENJAMIN KIMBALL.

Son of Jethro and Mary (Belding) Kimball; born, Swanzey, March 1, 1778; Dartmouth College, 1803; practiced, Winchester and Keene; died, Keene, September 18, 1832.

Mr. Kimball was admitted a counselor of the Superior Court in 1809, and must by the rules of the bar have already been two years an attorney of the Common Pleas. Beginning practice in Winchester as early as 1808, he remained there nearly or quite twenty years, and then changed his abode to Keene.

He is described as a good, sound lawyer, and very conscientious, always counseling his clients to settle their disputes, if possible, without recourse to the courts. Apparently he had little to do with political matters, and was not ambitious to crowd himself into notice in any capacity.

His first wife was Lucy Conant, who bore him one son. He

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married for his second wife Mary, daughter of Dr. Thomas Edwards of Keene. Four sons and a daughter were the issue of his second marriage.

FRANK KIMBALL.

Born, Salem, Massachusetts, February 26, 1842 ; admitted, 1861 ; practiced, Andover ; died, Big Rapids, Michigan, April 27, 1871.

This lawyer received his education in Massachusetts, and was there admitted to the bar. Soon after he entered the military service of the government, and served as lieutenant and captain of the Third Regiment of United States colored troops. Leaving that position in 1864, he proceeded to Indianapolis, Indiana, and for a year or two acted as assistant clerk of the Supreme Court. His health requiring a change of climate, he then came to New Hampshire, and was associated in practice about two years with John M. Shirley in Andover. In 1868 and 1869 he was appointed engrossing clerk of the legislature, and one of the bank commissioners in 1870. The next year he went to Michigan to prepare himself a new home, when his death took place.

He married, in 1869, Sarah, daughter of Zenas Clement of Stamford, Connecticut, who survived him.

GEORGE KIMBALL.

Son of Benjamin and Nancy (Wilder) Kimball ; born, Harvard, Massachusetts, 1787 ; Dartmouth College, 1809 ; admitted, 1813 ; practiced, Canaan ; died, Hamilton, Bermuda, 1858.

Mr. Kimball studied his profession with Stephen Moody at Gilmanton. In March, 1813, he opened his office in Union, Maine, but removed the next year to Warren, Maine. He then became a successful school teacher in Concord, in Richmond, Virginia, and in the island of Bermuda, where he went in 1815, and probably lived some years. In May, 1824, he came to Concord, and took charge of a weekly newspaper, the "Concord Register," as publisher and editor. Being a writer of no mean ability, he might have done well in his new calling but for his lack of industry, and his propensity to dream when he should have been wide awake and at his work. He had some good friends to render him aid, among them the ready and bright

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George Kent, whose pen was often in requisition to complete the vacant columns of the "Register."

About the year 1826 Mr. Kimball resumed his profession in Canaan. He was not lacking in knowledge, and was a pleasant speaker, but he was unacquainted with practice and inapt to learn what is obtainable by plodding industry. He was guilty of mistakes which not only caused him annoyance, but had to be amended "on terms" which were generally costly. He had little turn for business, and paid the debts he owed, without collecting payment from those who owed him. Naturally he fell into difficulties, in which he was fortunate in having the aid and counsel of Nathaniel P. Rogers of Plymouth. They were both anti-slavery men of the most pronounced type, and Rogers, as the stronger and wiser, acted as a second father to Kimball, in giving him advice and assistance.

Mr. Kimball was a born reformer. He was instrumental in procuring the erection of the Noyes Academy in Canaan, which was open for the reception of colored pupils; he was a prominent supporter of the temperance movement, new in his day; and active in the crusade against Freemasonry.

About 1838 he went to Alton, Illinois, for the purpose of entering into trade. For that he had little aptitude, and after a short time he returned, without having bettered his fortunes.

In 1840 he returned to Bermuda, and passed the rest of his life there as a lawyer and a teacher.

He married in Bermuda, about 1817, a lady of some property.

JABEZ KIMBALL.

Born, Hampstead, January, 1772; Harvard College, 1797; practiced, Chesterfield; died, Haverhill, Massachusetts, March 19, 1805.

Prepared for college under the tutelage of the Rev. Gyles Merrill of Haverhill, Massachusetts, Mr. Kimball was a faithful student and a superior scholar. He applied himself to the study of the law under John Prentice of Londonderry, by whom he was much esteemed. In 1800 he was appointed a tutor in Harvard College, but after a year's performance of the duties proceeded to Chesterfield to enter upon the practice of the law. He remained there two years. In this time a great misfortune befell him: the young lady to whom he was tenderly attached, and

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whom he hoped to marry, was taken away by death. To change the scene he quitted Chesterfield and removed to Haverhill, Massachusetts; but he appears never to have fully recovered from his disappointment. His constitution had, from his youth, been delicate, and his promising life was cut short at the age of thirty-three years.

JACOB KIMBALL.

Son of Jacob (?) Kimball; born, Topsfield, Massachusetts, February 15, 1761; Harvard College, 1780; admitted, 1795; practiced, Rindge; died, Topsfield, Massachusetts, July 24, 1826.

In the practice of music rather than of law, Mr. Kimball gained his reputation. He studied law with William Wetmore of Salem, Massachusetts, and was admitted in Strafford County fifteen years after leaving college. The intervening time he was a teacher and composer of music. There was published in Boston in 1793 a collection of original tunes entitled "Rural Harmony," of which he was the author. His voice was sweet and powerful, and he was an enthusiastic and popular musical instructor, and taught singing-schools in many places. The pieces he composed were many of them in the minor key, with fugue successions, according to the taste of the time, and were much admired.

He is set down as a lawyer in Rindge in 1797 and 1800, but the profession had no attraction for him, and of course he did little or nothing in it.

He belonged to a family of more than ordinary intelligence, and was possessed of no mean literary talent. His version of the 65th Psalm was of sufficient merit to be included in Belknap's "Collection." The life of a musician is a trying one, and perhaps led him into habits which in later life proved ruinous. It is stated that he died in the almshouse.

JOHN KIMBALL.

Son of John and Mehitable (Carlton) Kimball; born, Haverhill, September 30, 1796; Dartmouth College, 1822; admitted, 1828; practiced, Plainfield and Claremont; died, Putney, Vermont, February 23, 1884.

Fitted for college at Kimball Union Academy, Mr. Kimball prosecuted his legal studies with Moses P. Payson of Bath. In

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1828 he settled in practice in Claremont, and remained there ten years, excepting a short time that he was in Plainfield. In 1838 he removed to Putney, Vermont, his home thereafter. He was a representative in the legislature of New Hampshire in 1838, and in that of Vermont three years, as well as state senator from 1847 to 1849. From 1843 to 1846 he was state's attorney of Windham County, in Vermont.

He was a lawyer of superior qualifications, and possessed social attractions that endeared him to a large circle of acquaintances, old and young.

He married, September 4, 1834, Frances Mary, daughter of Hon. Phineas White of Putney, Vermont. Of their three children, one son survived him.

RICHARD KIMBALL.

Son of Nathaniel and Mary (Horne) Kimball; born, North Berwick, Maine, March 1, 1798; practiced, Dover, Somersworth, and Rochester; died, Dover, March 2, 1881.

Mr. Kimball studied at the Phillips Academy in Exeter and entered Harvard College, but afterwards changed from the academical to the law department of the university; and there and at the Northampton Law School he fitted himself for his admission to the bar.

In 1828 he was in the practice of his profession in Dover, and also the first editor of the "Enquirer" newspaper established in that year. In 1829 he removed his office to Great Falls Village in Somersworth, and remained until 1836. He then changed his residence to Rochester, to take the agency of the Norway Plains Company, in the manufacture of flannels. He combined with this employment the practice of the law until 1848, when he returned to Dover and resumed his law business, at the same time giving considerable attention to agriculture. In 1856, upon the adoption by Dover of a city charter, he received the appointment of Judge of the Police Court, and performed the duties of the office with great acceptance until 1868, when he reached the age of seventy years. He was a representative of Somersworth in the legislature of 1834, and of Rochester in those of 1846 and 1847.

As a lawyer he was a thorough student of his profession. His

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abilities were excellent, his methods were logical, his judgment was sound, and he was conscientious in his desire to reach correct conclusions. His opinions as a counselor commanded general respect. He was a religious man from conviction.

He was three times married, first, to Margaret Jane, daughter of George Pendexter of Dover; second, to Elizabeth, daughter of Moses Hale of Rochester, and last, to Elizabeth W., daughter of Samuel Hale of Portland, Maine. He had six children, five of whom survived him.

SAMUEL AYER KIMBALL.

Son of Deacon John and Ann (Ayer) Kimball; born, Concord, March 3, 1782; Dartmouth College, 1806; practiced, Dover and Concord; died, Concord, October 16, 1858.

Mr. Kimball was the preceptor of the Gilmanton Academy a year after his graduation, studied law under the direction of Samuel Green of Concord, and was admitted a counselor of the Superior Court at Portsmouth in 1812, having previously acted two years as an attorney, it is presumed. He began practice in Dover in 1810, and removed to Concord five or six years afterwards. He was deputy Secretary of State in 1813, 1814, and 1815; clerk of the state Senate in 1813 and 1814, and a representative in the legislature in 1832.

He was a careful, prudent practitioner, and his business was mainly a collecting one; he had little part in litigated causes. For some time he was a partner in the printing-house of Roby, Kimball, and Merrill, by the failure of which he lost much of his property. During the last twenty years of his life he did not keep a regular office, but was somewhat employed in the duties of a magistrate; his principal occupation being the cultivation of his farm.

He married Eliza, daughter of John Hazen, at Burton, New Brunswick, October 1, 1822. They had three sons and two daughters.

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WILLIAM AUGUSTUS KIMBALL.

Son of Nathaniel and Mary (Horne) Kimball; born, Shapleigh, Maine, 1814; admitted, 1837; practiced, Milton, Sandwich, and Rochester; died, Rochester, January 9, 1892.

The large family and limited means of Mr. Kimball's parents forbade his acquiring the liberal education which he coveted. He studied at the Phillips Exeter Academy in 1835, and fitted himself in the offices of his brother, Increase S. Kimball of Sandford, Maine, and Daniel M. Christie of Dover, for admission as an attorney in York County, Maine. He began practice in Milton in 1840, three or four years later removed to Sandwich, where he continued till 1847, and then became a partner of his brother, Richard Kimball, at Rochester. In the latter place he devoted his attention to his law business until 1854, when he disposed of it to Cyrus K. Sanborn, but retained his residence there as long as he lived. For some years he taught the high school, and never lost his zeal for the cause of popular education, nor his interest in the young people of the town, whom he attracted to him by his kindness of heart and sympathetic disposition.

Mr. Kimball was a careful and correct lawyer, of entire integrity.

He was married, in 1841, to Nancy H. Nutter of Milton, and was the father of three children.

EDWARD CORNELIUS DELAVAN KITTREDGE.

Son of Hon. Jonathan and Julia (Balch) Kittredge; born, Lyme, December 29, 1834; Dartmouth College, 1857; practiced, Concord; died, Demorest, New Jersey, June 20, 1879.

Kimball Union Academy gave Mr. Kittredge his preparation for college, and in the office of his father at Concord and that of Cross and Topliff at Manchester he qualified himself for entrance to the bar. He did not, however, linger long in New Hampshire. After one or two years of practice in Concord he removed to New York city, and in its vicinity spent the rest of his life.

He is said to have been a stout, easy-going man, and did not obtain much law business in Concord, though he was more successful afterwards.

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His wife, to whom he was united March 9, 1871, was Rosalie Homans of New York.

JONATHAN KITTREDGE, LL. D.

Son of Dr. Jonathan and Apphia (Woodman) Kittredge ; born, Canterbury, July 17, 1793 ; Dartmouth College, 1813 ; admitted, 1817 ; practiced, Lyme and Canaan ; died, Concord, April 8, 1864.

The father of Judge Kittredge was a physician by profession, and, later, an occasional preacher also. The son upon his graduation acquired in Albany, New York, and in the city of New York, his legal preparation for admission to the bar. In the latter city he commenced practice, and though he was quite successful there, he fell into habits of dissipation, and returned to New Hampshire in 1823. He lived three years in Canaan, and then moved to Lyme. The habit of strong drink had so fully mastered him that clients left him, and his reform seemed hopeless ; but by the exercise of his strong will he was enabled to break the chains of habit and to stand up a free man. In 1827 he published an address upon Temperance, which attracted so much notice by its cogency and power that it was not only widely read in this country, but was republished in England, in France, and in Germany. He followed it by two other powerful pieces on the same subject.

The State Temperance Society appointed him its agent in 1832, and he became the editor of the newspaper which was its organ in 1834. During several years his time was largely given to this work. In 1836 he returned to Canaan and took up his legal practice. He was much interested in political affairs, and besides holding sundry local offices, was five times elected a representative in the state legislature, and was the postmaster of the town.

He was a well-read, strong, and able lawyer. His mind was of a logical cast, and his opinions were accepted with confidence. He was honest and true to his clients, and gave his faithful, conscientious attention to their interests. An upright and downright man, he was positive in his convictions and emphatic in asserting them. Though his manners were not calculated to win him popularity for courtliness or affability, yet none who knew him ever questioned the honesty of his motives, or his entire sincerity. He

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tried his causes with thoroughness and power. Without the graces of oratory, his addresses to the jury were forcible and effective. Upon the establishment of the state Court of Common Pleas in 1856, he was commissioned its Chief Justice, and received from his Alma Mater the honorary degree of LL. D. The court, however, proved unacceptable for various reasons, and after an existence of only two years was abolished. Judge Kittredge after his appointment changed his residence permanently to Concord.

He was married, in 1829, to Julia Balch of Lyme, who outlived him; they had several children, one of whom was a lawyer, and in practice for a time in New Hampshire.

ELIJAH KNIGHT.

Repeated inquiry has elicited little information respecting this gentleman. It is presumed that he was a practitioner in Essex County, Vermont, in 1803 and 1804, whose residence was said to be in Lunenburg, Vermont, and Lancaster, New Hampshire. He appears as an attorney in Surry from 1821 to 1823, and he was postmaster of that town from 1822 to 1832. He could hardly have been a lawyer of much note.

THOMAS RICKER LAMBERT.

Son of William and Abigail (Ricker) Lambert; born, South Berwick, Maine, July 2, 1809; practiced, Somersworth and Portsmouth; died, Boston, Massachusetts, February 4, 1892.

A fellow student described young Lambert at the academy in South Berwick, Maine, as full of vivacity, and the master of a facile pen, in which respects the child was truly the father of the man. An appointment as a cadet in the Military Academy at West Point took him for a while to that institution, but he was prevented by ill health from finishing the course there. He applied himself to learn the business of a printer, but relinquished it to enter the law office of Nicholas Emery of Portland, Maine. In that State he gained his admission to the bar, about 1832. He commenced practice in Somersworth, but after a little stay migrated to Portsmouth. The first case he had for trial was an action for a breach of promise of marriage; he argued it to the

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jury, and obtained a verdict. Promising, however, as were his professional prospects, he was induced by the solicitations of friends, in 1833, to change his calling and study divinity.

He was ordained a deacon in the Episcopal Church in 1836. He had obtained, in 1834, the appointment of a chaplain in the navy, and for the succeeding twenty years he officiated in that capacity.

In 1855 he resigned the chaplaincy, and became for the succeeding twenty-eight years rector of St. John's Church in Charlestown, Massachusetts. In 1863 he was honored with the degree of S. T. D. from Columbia College. He was a zealous Freemason, long chaplain of the Grand Lodge of Massachusetts, and a recipient of the thirty-third degree.

Dr. Lambert, as a clergyman and a man, had the friendship and high esteem of the numerous officials and others with whom he was associated in the course of his varied life. He was companionable, genial, considerate of the feelings of all, kind and helpful to the poor, in short, a true brother of humanity.

In 1845 he became the husband of Mrs. Jane Standish Colby, widow of Hon. H. G. O. Colby of New Bedford, Massachusetts, and daughter of Hon. John A. Parker. They had one son.

GEORGE LAMSON.

Son of Gideon Lamson ; born, Exeter, 1794 ; Bowdoin College, 1812 ; admitted, 1815 ; practiced, Exeter ; died, New York, August 4, 1826.

Mr. Lamson entered Phillips Exeter Academy at the age of twelve; pursued his law studies in the office of George Sullivan, and located himself in his native town. He was "a good scholar, an insatiable reader, and a ready writer." In 1819 he became the publisher of the "Exeter Watchman," a weekly journal, and conducted it about two years. He also commenced the publication of law-books at Exeter, but that proved unremunerative. In 1823 he bade adieu to his profession, removed to New York city, and undertook the business of bookselling, but met with little success. After three years' struggle with adverse circumstances there, his life was brought to a premature close.

He left a widow and three children.

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FARNUM FISH LANE.

Son of Ezekiel and Rachel (Fish) Lane ; born, Swanzey, March 15, 1816, admitted, 1843 ; practiced, Winchester, Walpole, and Keene ; died, Keene, June 18, 1887.

Mr. Lane attended the academies at New Ipswich and Hancock, studied his profession with Thomas M. Edwards of Keene, and began practice in Winchester in 1843. In 1846 he removed to Walpole, and in 1849 to Keene. He served in the legislature in 1847 and 1848 from Walpole, and in 1862 and 1863 from Keene ; and also held the office of county treasurer. For ten years he was solicitor for the county of Cheshire.

He was a careful, studious lawyer, and enjoyed a very considerable practice, including many causes of magnitude and difficulty. His standing was of the best among his brethren of the bar, and in the community at large. A seat upon the bench is said to have been within his reach, but he did not care to accept it.

He married, in 1846, Harriet Locke Butler of Winchester, and left two children.

DAVID RICKER LANG.

Son of Sherburne and Mehitabel (Ricker) Lang ; born, Bath, May 6, 1830 ; Dartmouth College, 1854 ; practiced, Bath and Orford ; died, Orford, August 30, 1875.

Mr. Lang was fitted for college at the academy in Newbury, Vermont ; and prepared himself for admission to the bar in the office of Harry Hibbard at Bath, and at the Albany Law School. He practiced in Bath from 1857 to 1864, and then removed his office to Orford. He was a representative in the state legislature in 1859 and 1860 from Bath, and in 1867, and three years subsequently, from Orford. In 1870 he was commissioned Judge of Probate for Grafton County, and discharged the duties of the office until 1874.

Judge Lang was an excellent lawyer, and a man of sterling character. "He filled the office of Judge of Probate with signal ability and propriety. The community lost by his death a good man, and a judicious and influential citizen." He possessed in a

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high degree the poetic temperament; in college he was assigned the class poem, and it is understood that throughout life he indulged in metrical compositions, but was too modest to allow them to see the light in print.

He married Josephine R., daughter of Asa P. Smith of Bath, March 24, 1859, and left five children, one of whom is a lawyer in Orford.

HENRY SHERBURNE LANGDON.

Son of Hon. Woodbury and Sarah (Sherburne) Langdon; born, Portsmouth, 1766; Yale College, 1785; admitted, 1792; practiced, Portsmouth; died, Cambridge, Massachusetts, July 21, 1857.

Mr. Langdon pursued his course of legal study under John Pickering of Portsmouth, and began to practice in that place in 1792. In 1801 he was elected a representative in the state legislature. His talents apparently adapted him better to a business position than to the practice of the law. When the New Hampshire Union Bank of Portsmouth was chartered in 1802, he became its cashier, and continued so until 1815. He then received the appointment of navy agent at Portsmouth.

It was not long after this that he left New Hampshire, and went into Massachusetts to live. It is not known that he attempted to practice his profession afterwards.

His wife was Ann, sister of Hon. William Eustis of Roxbury, Massachusetts. They had children, one of whom graduated from Harvard College in 1812.

JOTHAM LAWRENCE.

Son of David and Lydia (Sias) Lawrence; born, Epping, February 7, 1777; admitted, 1803; practiced, Epping, Brentwood, and Exeter; died, Exeter, November 6, 1863.

Mr. Lawrence was educated at the Phillips Exeter Academy, and received his professional training in the office of George Sullivan of Exeter. He began as a practitioner in Epping in 1804, after a few months opened an office in Brentwood, and thence removed to Exeter in March, 1809, to spend the rest of his days. He was a representative in the legislature in 1831, and a bank commissioner in 1840.

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In point of learning and capacity he was a respectable lawyer, though he did not appear much in the trial of contested causes. In later life he was considerably employed as the trial justice of the town. At his death he was the oldest member of his profession in the county.

He married, February 21, 1803, Deborah Robinson of Exeter. His second wife, whom he married December 25, 1810, was Caroline, daughter of Benjamin Conner of Exeter. He had nine children, eight of them by his second marriage. One of his sons, Alexander H. Lawrence, was a lawyer.

JAMES ALLEN LEACH.

Son of Lebbeus and Julia A. (Steele) Leach ; born, Hudson, October 9, 1861 ; admitted, 1887 ; practiced, Nashua ; died there, September 23, 1888.

This youthful practitioner was educated at the Nashua Literary Institute, and acquired his professional training in the offices of Messrs. W. W. Bailey, Royal D. Barnes, and Henry B. Atherton at Nashua, and at the Law School of the Boston University. His practice was wholly in Nashua, and continued a period of a year and six months.

He was a young man of good promise.

He never married.

HENRY B. LEAVITT.

Son of Moses Leavitt ; born, Chichester, c. 1825 ; admitted, 1853 ; practiced, Barnstead and Pittsfield ; died, Charleston, South Carolina, July 22, 1863.

Mr. Leavitt received a good academic education, and taught school some years. He studied law under Charles H. Butters of Pittsfield, and passed the first two years of his practice, 1853 and 1854, in Barnstead. He then returned to Pittsfield, and continued there until November, 1861, when, having recruited a company of volunteers for the Seventh New Hampshire Regiment, he was commissioned its captain and ordered to the front. He showed himself a competent and brave officer. In the second assault on Fort Wagner, near Charleston, South Carolina, he was struck down by a serious wound. Removed to the city, it was found necessary to amputate his leg, and he survived the operation only three or four days.

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Captain Leavitt manifested in his law business a good deal of energy and push, though he was not distinguished for learning or accuracy. He was rather indolent and heavy, and it required some special incentive to rouse him to do his best. But when a sufficient occasion arose he is said to have surprised even his most intimate acquaintances by his latent power in debate or in the line of his profession.

He never married.

CHARLES LELAND.

Son of Thomas and Cynthia B. (Hastings) Leland; born, Windsor, Vermont, July 28, 1817; practiced, Claremont; died there, March 28, 1884.

In the schools of Windsor, Vermont, young Leland received his chief instruction, and in the office of his father in Claremont he prepared himself for the bar. He practiced in Claremont until about the year 1850, but having no particular attachment to his profession, and his law business after the death of his father somewhat dwindling, he decided to make a change. He obtained employment as a salesman for a druggist in New York, and spent the last twenty years of his life in that occupation.

He married Ellen M. Mills at St. Johnsbury, Vermont, December 11, 1809. They had one child, who died in infancy.

THOMAS LELAND.

Son of Thomas and Lydia (Sherman) Leland; born, Grafton, Massachusetts, August 5, 1784; Middlebury College, 1809; practiced, Claremont; died there, March 3, 1849.

Mr. Leland's legal studies were carried on in the office of Hon. J. H. Hubbard, at Windsor, Vermont, and there he received his certificate as attorney, and practiced his profession from 1812 to 1834. In the latter year he established himself in Claremont. While residing in Vermont he was a member of the state legislature. He was considered an excellent lawyer, especially in equity cases, though not distinguished as an advocate. He gave careful attention to his business, and had his full proportion of it. He was in his day a leading man in the town. Outside of his profession, his life appears to have been an uneventful one.

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He was married, October 2, 1816, to Cynthia B. Hastings, at St. Johnsbury, Vermont. They had two children, of whom the elder became a lawyer.

WILLIAM LEVERETT.

Son of John and Elizabeth (Salisbury) Leverett ; born, Windsor, Vermont, July 8, 1813 ; Yale College, 1834 ; admitted, 1839 ; practiced, Plymouth ; died there, September 18, 1874.

This was a descendant of Governor John Leverett of Massachusetts. He studied for the legal profession at the Yale Law School, in New York city, and with William Crafts of Utica, New York, where he was admitted to practice. He came to Plymouth in 1839, and was for a time a partner of Henry W. Blair. He is described as a very respectable and good lawyer. His death was the result of pulmonary consumption.

October 5, 1851, he was joined in marriage to Catharine R. Spaulding of Rumney. She and one of their three daughters were living at his death.

DANIEL LEWIS.

Son of Isaac and Mary (Epps) Lewis ; born, Francestown, September 25, 1775 ; Dartmouth College, 1797 ; practiced, Francestown ; died there, December 15, 1827.

Mr. Lewis prepared himself for his profession under the tuition of William Prescott of Salem, Massachusetts, and was admitted in Hillsborough County in March, 1801. From that time forward he was a resident and practitioner in Francestown. His life was the uneventful one of a country lawyer of much worth but of no special eminence.

His wife was Mary, daughter of Samuel Epps of Salem, Massachusetts, and they had three children.

MATTHEW LIVERMORE.

Son of Samuel Livermore ; born, Watertown, Massachusetts, January 14, 1703 ; Harvard College, 1722 ; admitted, 1731 ; practiced, Portsmouth ; died there, February 14, 1776.

Two years after his graduation from college, Mr. Livermore went to Portsmouth, upon the invitation of the selectmen of the

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town, to teach the grammar school. It was his intention to become a lawyer, but he took charge of the school until he qualified himself for his profession.

In 1731 he began to practice in the same town. A few years afterward the royal governor offered him the office of attorney-general, he being the only regularly educated lawyer in the province. In accepting it he stipulated for the appointment also of king's advocate in the Court of Admiralty, an office which by its avails compensated for the "hard work and poor wages" of the attorney-generalship. The latter office, and probably the former also, he appears to have retained for about twenty-nine years.

In 1752 he became a member of the legislature, and was chosen clerk thereof, and so continued till 1755. He was evidently a man of high character and influence, and had a prominent part in shaping the legislation and government of his time.

His legal practice is described as correct, and he was faithful to his clients. In the performance of his functions of attorney-general, it happened on three occasions to be his fortune to conduct prosecutions for crimes punishable with death, a task which was extremely repugnant to his feelings; but no intimation has reached us that he failed in any instance to perform his complete official duty.

His wife was Mary, daughter of Rev. Nathaniel Rogers of Portsmouth. Their only child is believed to have been a daughter.

SOLOMON KIDDER LIVERMORE.

Son of Rev. Jonathan and Elizabeth (Kidder) Livermore; born, Wilton, March 2, 1779; Harvard College, 1802; admitted, 1806; practiced, Dover and Milford; died, Milford, July 10, 1859.

Mr. Livermore's reputation for scholarship in college was high. He taught the grammar school in Cambridge, Massachusetts, for one year, and then commenced the study of the law in the office of Oliver Crosby of Dover, in which town he began practice. After the lapse of a year, however, he changed his residence to Milford.

His capacity and attainments were ample, but it is said he did not make the mark he might, because of his lack of ambition. He tried causes in court with a good deal of power, and argued

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them forcibly, with no small infusion of wit and sarcasm; but he was slow, and thus appeared at a disadvantage. He was thoroughly honest, and preferred to effect an amicable adjustment of controversies among his neighbors, rather than to benefit his own pocket by encouraging them to litigation.

He had decided political views, but no political aspirations beyond that of serving his townsmen as their representative in the General Court, which he did in the years 1829, 1830, 1831, and 1838. He was a religious man, and it was said of him that "neither his benevolence nor his public spirit was ever appealed to in vain."

He married, July 6, 1810, Abigail A., daughter of Nathaniel Jarvis of Cambridge, Massachusetts, by whom he had four sons and four daughters. Two of each, with their mother, survived him.

PETER LIVIUS.

Son of Peter Lewis Livius; born, Bedford, England, 1727; died, Brighthelmstone, England, July 23, 1795.

This gentleman, though not a practicing lawyer, was a Judge of the provincial Court of Common Pleas for several years, up to the year 1771, and so is entitled to notice here. He emigrated to Portsmouth in 1763, and three years later took his seat in the council. Not being reappointed Judge in 1771, on the division of the province into counties, he proceeded to England, and laid before the Board of Trade a complaint against Governor John Wentworth and the council for mal-administration. Eventually his complaint was dismissed, and Livius was made Chief Justice of Canada.

In 1775, after the failure of Montgomery's assault on Quebec, he was instrumental in procuring Captain Henry Dearborn's release from prison upon parole. In 1777 he sent a letter through the lines to General John Sullivan, urging him to abandon the American cause and become reconciled to the British government.

When he came to this country he had so little knowledge of it that he brought with him an extra set of wheels for his coach, in the idea that none could be manufactured by American workmen.

He was a man of property, shrewd and able, and well educated.

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Harvard College gave him the honorary degree of A. M. in 1767, and he is described on the catalogue as a Fellow of the Royal Society.

His wife was Anna Elizabeth, daughter of John Tufton Mason.

SAMUEL PIERSE LONG.

Son of Hon. George and Mercy (Hart) Long; born, Portsmouth, January 6, 1797; Harvard College, 1819; admitted, 1822; practiced, Portsmouth; died, Boston, Massachusetts, April 24, 1879.

This was a grandson of Colonel Pierse Long of Revolutionary fame. He studied law in Portsmouth with John Pitman and with Jeremiah Mason. Taking an office in Portsmouth, he spent six years in distasteful practice, for his heart was not in the law, but in art and literature. Then, by the advice of Washington Allston, he bade farewell to Coke and Blackstone, and resolved to become a painter. He passed between three and four years in Europe engaged in the study and practice of his art. While abroad he produced some pictures of admitted merit, but he was not satisfied with them, for he could never realize his ideal.

He delivered several courses of lectures on painting and kindred topics to appreciative audiences in Boston, Philadelphia, and elsewhere, and published a volume on the principles of art, which elicited much commendation. He was a graceful writer, and in social life won friends by his genuine kindness, his culture, and his genial humor.

He married, in 1851, Hannah W., daughter of Isaac Lyman, formerly of Portsmouth, who survived him. They had no children.

JOHN PERKINS LORD.

Son of General John and Mehitable (Perkins) Lord; born, South Berwick, Maine, June 29, 1786; Harvard College, 1805; admitted, 1808; practiced, Portsmouth; died, South Berwick, Maine, December 5, 1877.

Mr. Lord had his legal training in the office of Jeremiah Mason of Portsmouth, and settled in that town in 1808. After a time he engaged in mercantile pursuits, and about the year 1820 removed to South Berwick, Maine. There he became a very useful and prominent citizen, serving for many years as an officer of

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the town and as representative in the legislature, and being for over half a century secretary of the trustees of the academy. He was the compiler of a useful handbook, the "Maine Townsman," of which the first edition was issued in 1844.

About 1845 he became an officer in the custom house in Boston, Massachusetts, and continued there some years. Mr. Lord lived to the age of ninety-three years, and retained his intellectual faculties till near the close of his life. He was a public-spirited, worthy, and much-respected gentleman.

His first wife was Sophia, daughter of Colonel Eliphalet Ladd of Portsmouth; his second was Sarah Noble of South Berwick, Maine; and he was the father of nineteen children.

SAMUEL DEARBORN LORD.

Son of Edward D. and Betsey (Osgood) Lord; born, Epsom, April 30, 1826; Dartmouth College, 1850; admitted, 1852; practiced, Manchester; died there, February 23, 1890.

Mr. Lord divided his term of legal study between Manchester in the office of Daniel Clark, Boston, Massachusetts, and Rhinebeck, New York. He was admitted to the bar in New York city, and began to practice in Manchester in the summer of 1853.

He was city solicitor from 1855 to 1857; assistant clerk of the New Hampshire House of Representatives in 1860 and 1861, and principal clerk in 1862, 1863, and 1865; clerk for various congressional committees in Washington, District of Columbia, from 1866 to 1875; representative in the legislature in 1857, 1869, 1870, and 1889; and a member of the city school board in 1855 and 1856, and from 1882 to 1889.

He was held in much esteem for his pleasant disposition, and showed tact, ability, and judgment in the conduct of the variety of affairs that he undertook. Though a good lawyer, he scattered his time and attention too much to become a learned one. In the latter part of his life he became somewhat noted for his studies and writings upon meteorology and kindred subjects, and published several papers and addresses thereon. He was a member of the New England Meteorological Society.

He was joined in marriage, August 9, 1852, to Mary Agnes, daughter of Francis A. Calvert of Lowell, Massachusetts, and had two daughters, one of whom survived him.

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ALDIS LOVELL.

Son of Elijah and Abigail G. Lovell; born, Rockingham, Vermont, August 2, 1789; admitted, 1820; practiced, Walpole and Alstead; died, Alstead, March 12, 1866.

After laboring upon his father's farm till manhood, Mr. Lovell, at Chester, Vermont, and at Newmarket, prepared himself for entrance to college, and then studied law with Daniel Kellogg of Saxton's River, Vermont, in which State he was admitted. He began practice in his native town, but soon removed to Drewsville in Walpole, and there, and subsequently in Alstead, remained the rest of his life. He was solicitor of Cheshire County from 1840 to 1850, — "an honest lawyer and untiring in the pursuit of justice." He was eminently social, fond of a good story, and could tell one well. Judge Gilchrist used to invite him to his room, in order to hear his amusing recitals and quaint imitations.

He tried causes to the jury, sometimes in an original fashion. Once, in replying to an argument of James Wilson, he began: "Mr. Wilson has had a good deal to say about law; lay the law aside, and do justice for once!" In another trial one of the adverse witnesses was found to be clad in respectable garments for that occasion only. Lovell referred to him as "the bird in borrowed plumage."

His wife was Martha, daughter of Paul Willard of Lancaster, Massachusetts. They had five children.

BOLIVAR LOVELL.

Son of Aldis and Martha (Willard) Lovell; born, Walpole, August 30, 1826; admitted, 1869; practiced, Alstead and Walpole; died, Walpole, June 9, 1893.

Until sixteen years of age Mr. Lovell lived, and attended the schools, at Drewsville in Walpole; then he became a clerk in a mercantile house in Providence, Rhode Island, for three years. In 1845 he began to study law in his father's office. When he reached his majority he was appointed a deputy sheriff; in 1855 he was promoted to the office of sheriff of Cheshire County, and acted as such ten years. In 1862 he was made United States assessor of internal revenue, and served about eight years. In

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1869, on his admission to the bar, he began practice in Alstead. He was elected to the Executive Council in 1873 and 1874, and subsequently was a member of the state board of equalization. About the year 1882 he returned to Drewsville in Walpole, where his death occurred.

He was a man of good business capacity, and had the public confidence.

WARREN LOVELL.

Born, Rockingham, Vermont, December 3, 1802; admitted, 1825; practiced, Wentworth, Meredith, and Laconia; died, Gilford, August 18, 1875.

The education of Mr. Lovell was acquired at the Chester Academy, and in the law office of Daniel Kellogg of Brattleborough in Vermont. He started in practice in Wentworth in 1825, and a year later removed to Meredith village. He was a representative in the legislature six years between 1828 and 1839, and state senator in 1833 and 1834. In 1835 he was appointed solicitor of Strafford County, in 1839 Judge of Probate, and from 1841 to 1872 he was Judge of Probate for the newly constituted county of Belknap. He held various other places of trust, public and private, during the later portion of his life.

He was a safe, clear-headed lawyer, and a popular and useful Judge of Probate. He made no great display, but was a prudent, calculating man, fortunate in his investments, and amassed a large property.

In 1831 he was married to Susan Badger of Meredith, who bore him two daughters.

OLIVER WOODBURY LULL.

Son of Moses and Lucinda (Caldwell) Lull; born, Weare, January 14, 1826; admitted, 1851; practiced, Milford; died near Port Hudson, Louisiana, May 27, 1863.

In the schools of Weare and the high school of Manchester, young Lull was instructed, and then became a teacher for a while. Studying for his profession with Train and Estey in Framingham, Massachusetts, and with David Cross of Manchester, he was admitted in Hillsborough County, and went into practice at Milford. He had good abilities, honesty, independence, resolution, and persevering industry, and was building up a valuable practice

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when the great Rebellion broke out. He had manifested a liking for military exercises, and his outspoken patriotism and determined character led to his appointment in October, 1861, as lieutenant-colonel of the Eighth Regiment of New Hampshire Volunteers.

He devoted himself to disciplining and fitting the regiment for the field, and accompanied them to the Southern Department, sharing all their hardships and conflicts. At the time of the assault on Port Hudson, he was serving on the staff of General Emery, and the colonel of his regiment was in command of a brigade. Lieutenant-Colonel Lull, however, voluntarily gave up his staff detail in order to be with his regiment in what he knew to be a most perilous duty. He was shot down at the head of his command, while leading and cheering on his men, and breathed his last expressing his thankfulness that his death was in the defense of his country.

His wife was Mary A., granddaughter of General Stephen Hoyt, and he left one daughter.

CHARLES CARROLL LUND.

Son of Joseph S. and Mary (Swett) Lund ; born, Concord, December 9, 1832 ; Dartmouth College, 1855 ; admitted, 1857 ; practiced, Concord ; died there, December 4, 1880.

The law was not the principal profession of Mr. Lund. He had been a student of civil engineering before he entered college. He prepared himself for the bar with Asa Fowler at Concord, and with Sanborn and French at St. Paul, Minnesota, where he was admitted and resided until 1864. He then returned to Concord and continued in law practice for five years, after which he gave his entire attention to civil engineering. He was engaged in numerous railroad surveys in this State and in the West, and in the construction of water-works and systems of sewerage for cities, and at the time of his death was engineer of Concord and a trustee of its public library. He was representative in the legislature in 1878 and 1879, and was chairman of the important committee on railroads. He was highly esteemed both in his professional and his personal character.

He married Lydia, daughter of Captain Theodore French of Concord, June 17, 1860, and was the father of two sons.

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STEPHEN CARR LYFORD.

Son of Stephen and Sarah (Lamper) Lyford ; born, Brookfield, 1787 ; admitted, 1815 ; practiced, Meredith and Laconia ; died, Vineland, New Jersey, December 9, 1869.

Mr. Lyford is said to have entered Dartmouth College at advanced standing, though the catalogue indicates that he was not a graduate. He studied law with William Sawyer of Wakefield, and chose Meredith for his place of settlement. There he remained for nearly fifty years, the village of Meredith Bridge, where his place of business was, having in the mean time been incorporated into the new town of Laconia.

He was an active, stirring, sanguine man, and a lawyer of prominence. He acquired a large practice, and, realizing the value of books to a lawyer, became the owner of an excellent professional library. Many suits of importance came under his charge, and were faithfully and ably conducted. He made the most of his cases on their own merits, but had little of the arts of *finesse* and wily management. John M. Shirley, who knew his reputation well, characterized him as "the old real-estate lawyer," on account of his familiarity with that branch of jurisprudence.

He was of an impulsive temperament, and longed for something beyond the routine of his daily business. He at length engaged in manufacturing and the purchase of real estate, which in the end involved him in litigation and proved unprofitable.

In 1863 he removed with his family to Vineland, New Jersey, where his death occurred six years later.

He married, in 1837, Emily Hayward of Orono, Maine. They had five children, of whom one only, a daughter, survives.

ISAAC LYMAN.

Son of Dr. Job and Abigail (Moulton) Lyman ; born, York, Maine, October 29, 1775 ; admitted, 1800 ; practiced, Portsmouth ; died, York, Maine, 1824.

Mr. Lyman was a student in the Phillips Exeter Academy in 1796, and read law with Jeremiah Mason of Portsmouth, in which place he entered into practice in 1807. He was secretary of the bar association of Rockingham County in 1809. It was probably within a year after this date that he quitted New Hampshire and

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returned to his native town in Maine, where he passed the rest of his life, devoting much of his time to the cultivation of his farm, though perhaps never absolutely abandoning the law.

He married, in 1806, Lucretia, daughter of Judge John Pickering of Portsmouth. She, with children, outlived him.

MILON CRAIG McCLURE.

Son of Samuel and Anna (Nurse) McClure ; born, Acworth, January 7, 1819 ; Dartmouth College, 1846 ; admitted, 1849 ; practiced, Claremont ; died there, September 1, 1860.

Mr. McClure was fitted for college at the Kimball Union Academy in Plainfield, and after leaving Dartmouth was employed two years as preceptor of the academy at Claremont. During that time and subsequently he was studying law with Philander C. Freeman, with whom, upon his admission to practice, he entered into a partnership which continued during the life of the younger man. Mr. McClure was chosen a councilor in 1855 and 1856, and to a seat in the House of Representatives from Claremont, the two years next succeeding. He was a modest, reserved man, but an able and faithful lawyer and servant of the public. It was said of him with justice that "his accurate knowledge of the law always commanded the attention of the Court, while his uniform courtesy won for him the esteem and confidence of his professional brethren."

He was unmarried.

ALONZO McCRILLIS.

Son of David and Sally McCrillis ; born, Sandwich, April, 1820 ; admitted, 1846 ; practiced, Somersworth ; died, Berwick, Maine, September 18, 1855.

While Alonzo McCrillis was young his parents moved to Great Falls Village in Somersworth, and there as a lad he worked in the factory and attended the public schools. As he grew toward manhood, he became a teacher, and at length entered the Wesleyan University at Middletown, Connecticut, but did not graduate. He studied law in the office of Ichabod G. Jordan of Somersworth, and became his partner. His career at the bar covered only the space of about nine years, but in that time he furnished abundant evidence of his abilities, his legal learning,

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and his steady application. His health appeared always to be slender, but never perceptibly interfered with the due performance of his work.

His death was the result of an accident which occurred while he was on his way to attend a town meeting in Berwick, Maine, where he resided. His wife, Lizzie McCrillis, survived him.

JOHN McFARLAND.

Son of Daniel and Martha (Steele) McFarland; born, Antrim, 1788; admitted, 1815; practiced, Hillsborough; died there, July, 1819.

This gentleman was of Scotch-Irish descent, his father exhibiting much of the shrewd wit which characterized that stock in his generation. The son, having availed himself of the educational facilities to be found in a country village at that day, accomplished the study of the law in the offices of David Starrett and of John Burnham of Hillsborough, and settled in practice in the upper village of that town in 1815. He has been described as a "homespun" man, as was perhaps to be expected from his limited advantages; but he had never the opportunity to show the extent of his capacity, for in four years after his admission he became a victim of consumption.

He was unmarried.

ISAAC McGAW.

Son of Jacob and Margaret (Orr) McGaw; born, Bedford, May 25, 1785; Dartmouth College, 1807; practiced, Bedford and Windham; died, Merrimac, November 6, 1863.

It was with Thomas Jameson of Goffstown and Jacob McGaw of Bangor, Maine, that Mr. McGaw pursued his legal studies, and about the year 1811 he opened his office for practice in Bedford. After seven years there he moved to Windham, and was the second and last lawyer in that town. He was clerk of Windham nineteen years, and representative in the legislature nine years, beginning in 1829 and ending in 1847. He was an excellent representative of the Scotch-Irish character, and was full of anecdotes of the people of that stock, which he related in admirable imitation of their brogue. He was a genial man, and had the general regard of his townsmen, but they had little business to

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give him, and in his later life he removed to Merrimac and lived with his eldest daughter, the wife of Edward P. Parker.

He married, January 10, 1822, Eliza, daughter of Samuel Armour of Windham. They had one son and four daughters.

JAMES McMURPHY.

Son of James and Sarah (Critchet) McMurphy ; born, Epsom, November 7, 1821 ; practiced, Epping ; died there, November 2, 1854.

At the age of thirteen young McMurphy was placed in a printing-office, and after working-hours gave his time to study. He learned Latin, French, and the higher mathematics at a college in Kingston, Canada, and subsequently taught a school in Nottingham. Having an ambition to become a lawyer, he took advantage of a statute of the State passed in 1842, to be sworn as an attorney, upon evidence of good moral character and without any proof of qualification by study. He had, in fact, read law for a time in the office of Enoch Bartlett of Epping, whose partner in practice he became about 1844. He showed much ability, industry, and aptitude for his calling, and was favorably regarded by the regular members of the profession, who some time before his decease formally admitted him to the bar with the approbation of all. He secured a good practice, which he managed skillfully and honorably.

In 1854 he represented Epping in the General Court.

He married Caroline F., daughter of Israel Norris of Epping, in 1845, and left two sons and three daughters.

JAMES McQUESTEN.

Son of James McQuesten ; born, Bedford, 1810 ; admitted, c. 1847; practiced, Plymouth ; died, Chicago, Illinois, May 28, 1875.

Orphaned in infancy, the subject of this sketch was carefully brought up by his uncle and guardian, Deacon John McQuesten. He attended school in Hanover, and was bred to mercantile life in Concord, and in Boston, Massachusetts. In 1837 he settled in Plymouth. By reason of the failure of his health, he retired early from active business, and fitted himself for the practice of the law. He pursued it with success for a quarter of a century, giving his attention largely, if not mainly, to mat-

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ters of probate. He was the legal guardian of thirty children, in the course of his life, and performed his duties to them with fidelity, and with almost parental care and counsel. He was highly respected, and accumulated a large estate.

He married a daughter of Captain John Page of Wentworth. Of their four children, only one was living at his decease.

JOHN SULLIVAN MARCY.

Son of Alvin and Polly (Bunce) Marcy ; born, Woodstock, Vermont, March 9, 1799 ; practiced, Walpole ; died, Green Island, New York, May 11, 1882.

Mr. Marcy probably obtained his education in Windsor, Vermont, and was not a college graduate. He read law in that town with Asa Aiken, and commenced practice in Walpole about 1829. He stayed there two years or thereabouts, and then returned to Vermont, first at Hartland, for about six years, then at Royalton, where he remained nearly thirty years, and concluded his practice in Windsor. In the year 1874 he took up his residence with his son, H. S. Marcy, at Green Island, New York.

He had the reputation of being a good lawyer, and stood well in his profession. His stay in New Hampshire was too brief to allow him to become widely known here. In the county of Windsor, Vermont, he filled the office of associate judge; and he was for a number of years a member of the state legislature. He was no money-getter, and is said throughout his long life of labor to have been in moderate circumstances.

His wife was Rebecca Hubbard, daughter of Hon. Roger Vose of Walpole. They had eight children, of whom four still live.

ANSON SOUTHARD MARSHALL.

Son of Micajah and Martha (Southard) Marshall ; born, Lyme, December 3, 1822 ; Dartmouth College, 1848 ; admitted, 1852 ; practiced, Concord ; died there, July 5, 1874.

Mr. Marshall prepared himself to enter college, after he was twenty, at the academy in Thetford, Vermont, in eighteen months. After leaving college he employed himself for two years or more in teaching a school in Fitchburg, Massachusetts, at the same time reading law under the direction of Messrs. Wood and Torrey of that place. In 1851 he came to Concord, and entered the office of Messrs. Pierce and Minot as a student.

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He first formed a partnership in the law with Henry P. Rolfe, which continued six or seven years; and at a later date with William M. Chase, which lasted during Mr. Marshall's life. He manifested an interest in political affairs, though not enough to interfere with his professional pursuits. He served as assistant clerk of the House of Representatives in 1854, and received, in 1858, the commission of United States District Attorney for New Hampshire, which he held till the incoming of the next administration. He also acted as chairman of the Democratic state committee in 1867.

He was fond of the contests of his profession, though he was not studious of the law, and liked the hard work of preparation to be done to his hand. He showed his power in the examination of refractory witnesses, and in making appeals to the jury. In the conduct of a trial he had a quick, incisive, telling style, that "kept things lively," and always attracted an audience. At the time of his death he was in the enjoyment of a large and profitable practice.

Mr. Marshall was a popular man and a public-spirited citizen. He was frank and generous, ready with a pleasant greeting for every one, and interested in all that concerned the community in which he lived. He bore an active share in the railroad controversies of central New Hampshire, and was for several of his later years clerk of the Concord Railroad.

His sudden death was the result of a wound accidentally inflicted by a rifle-ball shot at a target, and by some obstacle deflected from its course.

His wife was Mary J. Corning of Concord. Their only son is now a practicing lawyer.

WILLIAM (PITT) MARSHALL.

Son of Hon. Samuel and Hannah (Brown) Marshall; born, Derry, May 24, 1837; Dartmouth College, 1859; admitted, 1862 (?); practiced, Derry; died, City Point, Virginia, March 29, 1865.

At the Pinkerton Academy in Derry, and at the Chandler Scientific School of Dartmouth College, young Marshall was educated, and in the office of Clark and Smith of Manchester he prepared himself for entering the bar. He was for a while a school teacher in Derry, and then associated himself there with

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Greenleaf C. Bartlett as a practitioner of the law. Feeling it to be his duty to join in the defense of the Union, he volunteered, February 28, 1865, in the Eighteenth New Hampshire Regiment. On his way to the front he was attacked by disease, from which he never recovered.

He had married, October 11, 1864, Mary A. Dearborn of Gilmanton.

GILMAN MARSTON, LL. D.

Son of Jeremiah and Theda (Sawyer) Marston, born, Orford, August 20, 1811; Dartmouth College, 1837; admitted, 1841; practiced, Exeter; died there, July 3, 1890.

The subject of this notice labored in his youth upon his father's farm, but his ambition induced him to obtain a collegiate and a legal education. School-teaching enabled him to gain the means to accomplish his object. His mature years and earnest purpose impelled him to seek the highest benefit from his college course. For a year and a half after his graduation he had the charge of an academy in Indianapolis, Indiana, a part of the time reading law. He finished his legal studies with Leonard Wilcox of Orford, in the Harvard Law School, and finally in the office of Messrs. Hubbard and Watts in Boston, Massachusetts.

He came to Exeter to commence practice, a place where he had scarcely an acquaintance, and in a county where there were already an abundance of able lawyers well established in business. But he was then thirty years old, with plenty of energy, courage, and resolution, and he speedily made his mark as an aspirant for the highest place. He was no off-hand practitioner; what he gained he worked for; but he was willing to work, and his ambition was boundless. He became known as a lawyer who entered with his whole heart and strength into the interest of his clients. No matter what amount of labor and study were needful, he made himself master of every question presented to him. His practice increased apace, and in due time he was ranked among the foremost members of the bar of the county and of the State.

He was a careful counselor, but his forte was in the management of litigated actions. Once retained, the merits of his cause became with him an article of fundamental conviction. As long

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as the action was pending, it was ever in his mind. He submitted it in the form of hypothetical propositions to those about him, to learn how his views impressed other minds. He made endless inquiries to ascertain the equities that might be wrought into the substantial fabric of his evidence. If testimony of experts was to be introduced, he studied till he became half an expert himself. His desire to make perfect preparation led him, especially in his later years, to hesitate sometimes on the brink of a trial. He dreaded to lose a verdict. If the result of an action looked doubtful, he would strive to compromise or refer or continue it, to put off the evil day; or if it must be tried, his associate found the burden of it shifted to *his* shoulders. But when he was once seated before "the twelve," there was an absolute conviction in his mind that his was the right side, and that the Court and jury, not to mention the bystanders, were bound to see it so.

In forensic speech he was strong and argumentative rather than rhetorical. He rarely appealed to the feelings, except to denounce injustice and falsehood.

He merited the great success in his profession which he won. Forty-nine years he labored at the bar, and an equal number, at least, of the volumes of the state judicial reports contain the record of his service. He became by universal consent the leading counsel of his county and section, and the equal, at least, of any in the State. The title of Doctor of Laws, which Dartmouth College conferred upon him in 1882, was a deserved recognition of his legal accomplishments.

He entered into political life as a representative in the state legislature in 1845, and was reëlected the two following years. In 1872 and 1873 he was again a member, and was biennially elected afterwards from 1876 to 1888 inclusive, making twelve terms in all. Holding the position of chairman of the committee on the Judiciary during a majority of those terms, he possessed no small influence in shaping legislation. Being no believer in overmuch intermeddling with the laws, he exerted himself more to squelch crude projects than to initiate beneficial ones. He was also a delegate to the constitutional conventions of 1850 and 1876.

In 1857 he was chosen a representative in Congress, and reelected in 1861 and 1865. He was a working member while he was not with the army, and did little in speech-making. Indeed,

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he rarely attempted a political harangue. In 1889 he held for three months, by the governor's appointment, a seat in the United States Senate.

While he was in Congress, the Southern rebellion developed from words to deeds. He volunteered in defense of the capital, and when that was secure returned home, and was given the colonelcy of the Second Regiment of New Hampshire Volunteers. In the battle of Bull Run he was badly wounded, but by his inflexible will saved the right arm, which the surgeons would have amputated. He served in the principal actions in Virginia under McClellan, and being promoted to the rank of brigadier-general, led his command at Drewry's Bluff, Cold Harbor, and Petersburg. His courage was conspicuous, and he was thoughtful of the wants and comfort of the men in the ranks. He was one of the three men of this State who rose from civil life to wear the stars of a general officer.

General Marston was ambitious of distinction in everything he undertook. With his strong he had also his weak points. He was open to the flattery of subservience, and had his favorites as long as they were obsequious. He had never schooled himself to a due government of his passions. Whilst everything went to his liking, he was the pleasantest of men; but when crossed, he was capable of making himself very disagreeable, even to his best friends. Physically brave, he was morally timid, and never ventured to take the lead of opinion lest he should endanger his popularity. He was pugnacious in action; he stood by his friends; he was true to his party and his employers; he was never accused of political or personal dishonesty. He was kindly, sometimes chivalrous in his impulses; he was generous of his means, and after a life of profitable labor left but a moderate estate.

With a character compounded of seemingly opposite qualities, he had warm friends and bitter enemies; but all agreed that as a lawyer and a soldier he was worthy of his fame.

He never married.

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WINTHROP ATKINSON MARSTON.

Son of John and Nancy (Hill) Marston ; born, Nottingham, June 14, 1804 ; admitted, 1829 (?) ; practiced, Somersworth and Dover ; died, Somersworth, March 30, 1850.

The mother of Mr. Marston is said to have had in her veins the blood of Governors Winthrop and Thomas Dudley ; his father was a well-to-do farmer of very decided convictions. The son, with few early advantages of instruction, determined to enter a learned profession, and later became a pupil and teacher of schools in other places. He wished to be a lawyer ; but his father, having the common prejudice against that profession, insisted on his studying medicine, which he did for a few months. But it was an uncongenial pursuit, and he changed it, without his father's knowledge, for the law, and entered the office of David Barker, Jr., of Rochester, as a student. His father was offended, and for a time refused to furnish him the means of support, but at length relented, on seeing that his son's happiness was involved. A part of his term of study Mr. Marston is understood to have passed in the office of Stephen Mitchell of Durham.

He settled in practice in Great Falls Village in Somersworth. In 1833 and 1834 he was chosen clerk of the New Hampshire Senate, and in the latter year was presented with the commission of solicitor for the county of Strafford. He held the office little over a year and then resigned it. In 1839 he was appointed register of Probate, and took up his residence in Dover during the five years of the office. He then returned to Great Falls, Somersworth.

Mr. Marston was gifted with superior mental powers, and had cultivated them well. He was an excellent lawyer, an easy speaker, and a strong advocate. Believing that the system of human slavery was sinful, impolitic, and degrading, he was one of the earliest in the State to range himself on the side of "free soil." His political opinions were not based upon mere expediency ; they were the outgrowth of conscientious conviction. He was one of the leaders of his party, and with his talents and earnestness he must inevitably have become one of the most conspicuous representatives of it, had his life been extended. He died in the very acme of his powers.

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He married, in February, 1834, Mary E., daughter of Colonel Job C. Waldron of Dover, and left three daughters. He was a most affectionate husband and father.

GEORGE MEANS MASON.

Son of Hon. Jeremiah and Mary (Means) Mason ; born, Portsmouth, October 3, 1800 ; Bowdoin College, 1819 ; admitted, 1822 ; practiced, Portsmouth ; died, Boston, Massachusetts, August 16, 1865.

This, the first-born son of "the giant of the law," after passing through the public schools of Portsmouth, was prepared for college under the private tuition of Dr. Coffin of that town. He was noted at Bowdoin, and later in life, as a great reader and for his "philosophical calmness of demeanor." He read law, and continued some years after his admission in his father's office, assisting him in his practice, though he could not well have been intrusted with the more responsible duties of it. By his father's advice he removed to Boston, Massachusetts; and later he proceeded to Ohio, with the design of settling there, but in a little time returned to Boston. He found that he had not the self-assertion and push needed in a new country.

He resumed his place in his father's office, and aided him in the preparation of cases and in general legal work. His abilities and professional attainments rendered him a useful assistant, while his want of ambition and of self-confidence was an obstacle to his success as a principal. In later life he was often to be met with in the public libraries in Boston, and occasionally wrote for the press.

He was unmarried.

JEREMIAH MASON, LL. D.

Son of Colonel Jeremiah and Elizabeth (Fitch) Mason ; born, Lebanon, Connecticut, April 27, 1768 ; Yale College, 1788 ; admitted, 1791 ; practiced, Westmoreland, Walpole, and Portsmouth ; died, Boston, Massachusetts, October 14, 1848.

Mr. Mason was descended from Captain John Mason, distinguished for his successful expedition against the Pequot Indians in 1637. His father was an officer of militia, who served in the Revolution. On the maternal side several of his ancestors were men of marked religious character. When past the age of

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fourteen, he was placed in a public school in Lebanon, under the charge of Master Tisdale, a Harvard graduate, and in less than two years prepared himself for admission to college.

Upon his graduation from Yale, at the age of twenty, he determined to adopt the legal profession, and entered the office of Simeon Baldwin of New Haven, Connecticut, as a student. Six months later he went to Westminster, Vermont, and continued his studies under Stephen R. Bradley, a noted practitioner. After an apprenticeship of only two years he was admitted, and bought out the practice and farm of Colonel Alpheus Moore in Westmoreland.

In that place he remained three years. He had the wisdom to keep aloof from the conviviality which his predecessor had indulged in to his injury, and gave every spare moment to the diligent study of the law.

In 1794 he removed to Walpole; and in 1797 he took up his residence in Portsmouth, then the wealthiest and most important town in the State, where a professional opening had just been made by the elevation to the bench of Edward St. Loe Livermore, the leading lawyer of the place. Mr. Mason was now twenty-nine years old, with ample knowledge of his profession, six years' experience in it, and high courage and ambition. His leading position in the State began from this time.

In 1802 he received the appointment of attorney-general, but resigned it in three or four years. He probably could not afford to hold longer for an insufficient compensation an office which shut him off from a lucrative class of retainers. Moreover, he had a decided preference for the defense rather than the prosecution. His name soon appeared "on the other side of the docket" in most of the important criminal cases. It was in one of these, in 1807, that he was first brought in contact with Daniel Webster, who was conducting the prosecution in the stead of the absent attorney-general. Both Mason and Webster learned to respect each other, from that day forward. For years they were the leading counsel, opposed to each other in most of the causes of magnitude in their section, and contending with their utmost strength and ardor for the mastery; but it was so noble a strife that it engendered no personal ill-feeling between them. They remained friends and mutual admirers through life. Mr. Webster often acknowledged in later years his indebtedness to his powerful antagonist.

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Wedded though Mr. Mason was to his profession, in 1813, in the midst of the war with England, he was elected to the Senate of the United States. He continued to attend the sessions with punctuality through four years, and then resigned his seat.

On the reconstruction of the courts in 1816, Governor Plumer sounded Mr. Mason on the subject of the chief-justiceship of the Superior Court, offering to nominate him for that office, in case he would accept it. Mr. Mason signified his refusal to do so, on the ground of the utter inadequacy of the salary, and because he believed there was a radical defect in the provision which required the presence of a quorum of the judges at every jury trial.

Mr. Mason returned to a practice which taxed his time and powers to their utmost. He was early at his business each day, saw and listened to every client, drew with his own hand every paper of importance that was needed in his large practice, and allowed nothing to go out of his office without his careful inspection and approval. He dined at midday, and spent the afternoon, like the morning, in his place of business. The evenings he devoted, when he could, to domestic enjoyment. His engagements carried him often away from his home, and he was most scrupulous in fulfilling them all, at whatever cost of comfort or exposure. His constitution was vigorous, and his sense of responsibility to his clients was imperative.

He removed, in 1832, from Portsmouth to Boston, Massachusetts, where he resided ever after. There his great ability and legal erudition were at once recognized, and secured him a position among the foremost members of the bar of Massachusetts. He had, for a number of years, large employment in cases of importance. One *cause célèbre*, the trial of the Rev. Ephraim K. Avery for murder, in which Mr. Mason's marvelous defense alone saved the respondent from the gallows, made his name widely known throughout New England.[1] As he advanced in years he withdrew from the more active duties of his profession, but never entirely put the harness off. And so he continued,

[1] In the course of the trial of Avery, one of his adherents hurried into Mr. Mason's room one morning and exclaimed, "An angel from Heaven appeared to me last night and declared that brother Avery is innocent!" "Have the angel summoned into court to testify," was the lawyer's characteristic answer.

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with scarcely a diminution of his mental powers, until the final mercifully sudden call for him to change the known for the unknown world.

Mr. Mason was unequaled in cross-examination. There are many traditions of his success in unmasking false witnesses, one of which will suffice. An able lawyer of Salem had brought suit for a respectable merchant on a promissory note which, when produced in court, a witness, to his surprise, swore had been already paid. The plaintiff was not at that time allowed to testify, and the jury had no alternative but to find their verdict against him. He obtained a new trial, and retained Mr. Mason simply to cross-examine the witness. When the second trial came on, Mr. Mason listened to the witness' story, that he was present when the defendant paid the plaintiff the amount due on the note, which for some plausible reason was not then given up to the defendant. Mr. Mason then began to put his questions to the witness in a quiet voice, at first having little relevancy to the case, but following each other in such close succession that they left no time to the witness to invent explanations. For an hour or more the examination continued, the witness answering readily, till at length he was confronted with a question which he could not answer either way without contradicting what he had already sworn. The perspiration gathered on his face, and he was speechless. His falsehood was obvious to all. "I believe I have taken the p'ison out of the witness," said Mr. Mason, in his peculiar intonation; and the plaintiff was vindicated.

In this case Mr. Mason apparently based his cross-examination on the theory that no story could be fabricated so ingeniously that when pursued into remote and unlooked-for details it would not disclose inconsistencies.

The general practice of the bar in New Hampshire in Mr. Mason's day was to take advantage of every oversight of an opponent. It was called sharp practice, but it kept every one on the alert. Mr. Mason found the bar of Boston much more indulgent, and therefore lax. He soon had occasion there to plead in abatement to a faulty writ. The plaintiff's counsel took a high tone, said such errors were never taken advantage of by the Suffolk bar, etc. Mr. Mason listened quietly, twirling his gold-bowed glasses, as was his wont, and then replied, "All this, if the Court please, is no answer to my plea." And the plaintiff had to pay terms for leave to amend.

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The scale of fees for conducting trials used to be so very low that Mr. Mason, while in this State, being applied to, to try a cause in Maine, thought it necessary, before engaging himself, to warn his prospective client that his charge for the business would be one hundred dollars. In Boston he rated his services higher. The treasurer of a manufacturing company once asked his oral opinion on some minor legal point, and at the same time handed him a hundred-dollar bank-bill. Mr. Mason spread it on his knee, and remarked, "Yours is a wealthy corporation, had n't you better make it *tew* [hundred]?" The gentleman made it two, and the oracle spoke.

A very early anecdote, derived from unquestionable authority, gives a picture of the manners of professional men of the best standing, in their hours of relaxation, near a century ago. Mr. Mason, with Daniel Webster and Edward Cutts, drove out from Portsmouth to Weeks's tavern in Greenland one day for a dinner and a frolic. The dinner was good, as was the wine also. Some one of them spoke of the physical strength of a woman named Leathers, a servant of Weeks. Webster and Cutts laid a wager on her ability to "throw" Mason in a wrestling bout. Of course nothing would do but to settle the question by actual experiment. The woman required a good deal of urging before she would consent, but at last, seeing nothing else would suit the mischievous bettors, she seized Mason about the waist, and tried her best to lay him on his back. He laughed so much that he lost the power of resistance, and in two minutes the woman justified her backer by bringing the redoubted champion of the law fairly to the ground.

Mr. Mason's rank as a lawyer has been already fixed by the united judgment of the profession beyond reversal or appeal. Rufus Choate said of him, that "as a jurist, he would have filled the seat of Marshall as Marshall filled it." Daniel Webster declared, "If you were to ask me who was the greatest lawyer in the country, I should answer John Marshall; but if you took me by the throat and pinned me to the wall and demanded my *real* opinion, I should be compelled to say it was Jere. Mason."

Mr. Mason was in height above six feet and a half; in his youth slender, but stouter as he advanced in life. His face was fair and handsome. His voice was small for his bulk, and was never free from the Yankee twang that he learned in childhood;

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probably he never attempted to rid himself of it. He made no pretensions to oratory; he addressed the jury in the plainest language and in conversational tones, sometimes standing with one foot on the floor and the other in a chair before him.

His domestic life was peculiarly happy. He married in November, 1799, Mary, daughter of Robert Means of Amherst. They had several sons and a daughter. His eldest son was of the legal profession.

SAMUEL KELLEY MASON.

Son of David B. and Eunice R. (Kelley) Mason; born, New Hampton, May 17, 1832; admitted, 1855; practiced, Bristol; died there, June, 1882.

Mr. Mason was prepared at the New Hampshire Literary Institute to enter college at one year's advanced standing, but never completed a collegiate course. He studied law at the law school in Poughkeepsie, New York, in the law department of Hamilton College, and in the office of Ellery A. Hibbard of Laconia; and began practice in Bristol in 1855. He was postmaster of that town from 1861 to 1868, and representative in the state legislature from 1868 to 1870.

In 1873 he was the candidate of the "Liberal Republicans" for the governorship of the State. By a coalition of the leading men of his views with the Democrats, in which he joined, the latter were brought into power, and Mr. Mason was appointed in 1874 Judge of Probate for the county of Grafton. This office he held two years, and then, on the success of the opposite party, was removed from it by address. Subsequently he was twice appointed by the Court a commissioner for the county, for nearly four years in all.

Judge Mason's ability, professional and political, was of a marked character. He built up a successful law business, accumulated a handsome estate, and made himself a conspicuous figure in the politics of the State. As a member of the legislature he held a position of influence, and was ready and strong in debate. While genial in his manners, he was tenacious of his convictions. Many years an invalid, he courageously kept on in the performance of the duties of life until exhausted nature compelled him to succumb.

He married, in 1858, Helen M. Smith of Bristol, and they had one daughter.

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EDWIN NATHANIEL MATHES.

Son of Jeremiah M. and Ann E. (Folsom) Mathes ; born, Portsmouth, September 4, 1834 ; Dartmouth College, 1854 ; practiced, Portsmouth ; died, Concord, September 28, 1863.

The subject of this notice received his legal training at the Harvard Law School, and with Albert R. Hatch in Portsmouth, and Washburn and Marsh in Woodstock, Vermont. He began to practice in Portsmouth about 1858. From 1857 to 1861 he was clerk and deputy collector of customs at Portsmouth. In the latter year he went to Boston, Massachusetts. Symptoms of mental disease soon after required his removal to the insane asylum at Concord, where his life was terminated.

He was unmarried.

WILLIAM MATTOCKS.

Son of Hon. Samuel and Sarah (Burdell) Mattocks ; born, Hartford, Connecticut, May, 1773 ; Dartmouth College, 1793 ; practiced, Bath ; died, Danville, Vermont, May 22, 1842.

This was a brother of Governor John Mattocks of Vermont. After studying his profession with his brother-in-law, Samuel Miller, of Middlebury, Vermont, he settled in Danville in the same State, and practiced there until 1817, when he removed to Bath. He remained in New Hampshire only three years, and then returned to Danville, and spent the residue of his life there. He was state's attorney for the county of Caledonia for four years, 1801–2 and 1813–14, and had the reputation of being a lawyer of respectable learning, though not of brilliant parts. He is said to have been more of a scholar than his brother the governor, but had not the liveliness and wit which distinguished the latter.

The wife of Mr. Mattocks was Prudence Deming of Connecticut ; they were married October 2, 1801.

LARKIN GOLDSMITH MEAD.

Son of Captain Levi and Betsey (Converse) Mead ; born, Lexington, Massachusetts, October 2, 1795 ; died, Brattleborough, Vermont, July 6, 1869.

Mr. Mead acquired his literary education at the academy in Chesterfield, and his professional training under Phineas Hander-

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son of the same town. In that place he began practice at about the age of twenty-three. He was an active member of the Cheshire bar for something over twenty years; was a man of culture, possessed of rare business qualities, and acquired prominence. He was especially interested in promoting the cause of education and the public schools. He was the author of a "Description of Chesterfield," published in the first volume of Farmer and Moore's "Historical Collections."

He changed his residence, in 1839, to Brattleborough, Vermont, where he continued to practice the remainder of his life, at the same time holding the position of treasurer of the Vermont Savings Bank, the first institution of the kind in that State. He was a member of the Vermont Senate in 1846.

He married, in 1829, Mary J., daughter of Hon. John Noyes of Putney, Vermont, by whom he had several children, one of whom was Larkin G. Mead, the distinguished sculptor, born in Chesterfield in 1835.

ROBERT MEANS.

Son of Colonel Robert and Mary (McGregor) Means; born, Amherst, January 23, 1786; Bowdoin College, 1807; admitted, 1810; practiced, Amherst; died, Lowell, Massachusetts, September 26, 1842.

Mr. Means had his professional instruction in the offices of Charles H. Atherton of Amherst and of Jeremiah Mason, his brother-in-law, at Portsmouth. In September, 1810, he put up his sign as an attorney in Amherst. He is described as a man of "genial aspect, manners, and temper; of refined tastes and liberal studies, very methodical and accurate in business." His business consisted in a great measure in collecting debts and drawing instruments for his father and brother, who were large dealers in merchandise and real estate.

In 1831 he was called to take the agency of the Suffolk Mills in Lowell, Massachusetts, for which his agreeable manners and excellent business capacity peculiarly adapted him, and he retained it up to the time of his death.

In 1823 he was united in marriage to Mary E., daughter of Governor Samuel Dinsmoor of Keene. She died in 1829; and five years later he married Abby Atherton, daughter of Hon. Amos Kent of Chester, who outlived him. He had no children.

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HENRY MELLEN.

Son of Rev. John and Rebecca (Prentiss) Mellen; born, Sterling, Massachusetts, October 24, 1757; Harvard College, 1784; admitted, 1786; practiced, Dover; died there, July 31, 1809.

Mr. Mellen did not quit the farm till he was twenty-two, but then made remarkable progress in his preparatory and collegiate studies. He went into the office of Peter Green of Concord for his legal instruction, and in the autumn of 1786 established himself as an attorney in Dover. He became a good counselor, but was not distinguished in the trial of causes. He had literary tastes, and composed an oration on Freemasonry in 1798, and several metrical productions, which appeared in the papers of the day. A Federalist in politics, he was put forward on public occasions as the poetical champion of his party. His most noted production was styled "The Embargo." Much of it consisted of allusions which have now lost their point, but a sample of it is here given: —

"Our ships all in motion once whitened the ocean,
They sailed and returned with a cargo,
Now doomed to decay, they have fallen a prey
To Jefferson, worms, and Embargo.
Lest Britain should take a few men by mistake
Who under false colors may dare go,
We 're manning their fleet with tars who retreat
From poverty, sloth, and Embargo.
What a fuss we have made about rights and free trade,
And swore we 'd not let our own share go,
Now we can't for our souls bring a hake from the Shoals,
'T is a breach of the twentieth Embargo."

Mr. Mellen is reputed to be the author of a poem, "Shut to the door, the school 's begun," which had once much popularity. His poetical gift he shared with others of his family. He has been described as "brilliant, witty, somewhat wayward, but beloved by all who knew him."

He was married, first, to Elizabeth Hovey of Berwick, Maine, who died August 1, 1793; and second, to Martha Wentworth, daughter of Hon. George Frost of Durham. He left three sons.

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JOHN WENDELL MELLEN.

Son of Rev. John Mellen ; born, Cambridge, Massachusetts, 1794 ; Harvard College, 1814 ; practiced, Dover ; died, New York city, July, 1829.

Mr. Mellen prepared himself for the practice of the law in the office of his kinsman, Judge Prentiss Mellen of Portland, Maine, and settled for a short time in North Yarmouth, Maine, and afterwards in Dover. When the Dover Bank was chartered in 1823, he was appointed its cashier, and in that position continued four or five years. His lack of business capacity, which resulted in loss to the bank, caused him to leave it, and he opened a law office in the town. He was a man of fine person and unusual literary acquirements, and no one seems to have questioned his entire honesty. But his want of success probably preyed upon his sensibilities, and he resorted to the deceitful cup to drown care, until his reason was overthrown, and he deliberately put an end to his existence.

PRENTISS MELLEN, LL. D.

Son of Rev. John and Rebecca (Prentiss) Mellen ; born, Sterling, Massachusetts, October 11, 1764 ; Harvard College, 1784 ; admitted, 1788 ; practiced, Dover ; died, Portland, Maine, December 31, 1840.

This was a younger brother of Henry Mellen. He studied law with Shearjashub Bourne of Barnstable, Massachusetts, and was duly admitted an attorney in that commonwealth. It was the fashion of the times for a new-fledged member of the bar to treat the judge and all the lawyers copiously with punch, and Mr. Mellen conformed to the custom. He practiced in Sterling and Bridgewater till November, 1791, when he came to Dover, and spent the winter and succeeding spring in practice there with his brother Henry. The following July he removed to Biddeford, Maine, and there and in Portland finished his course. Thus his residence in New Hampshire was for eight months only.

His subsequent history belongs to and is written in that of Maine. He was among the most distinguished counselors and advocates of that province, and was in 1817 appointed to a seat in the United States Senate. In 1820, when Maine was organized as a separate State, he was appointed Chief Justice of her Supreme Court, and served to the age of seventy years.

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His wife was Sarah, daughter of Barzillai Hudson of Hartford, Connecticut. They had six children, two of them sons, who prepared themselves for the legal profession, though neither practiced it.

CALEB MERRILL.

Son of James and Molly (Emery) Merrill; born, Atkinson, May 22, 1783; Dartmouth College, 1808; practiced, Chester, Barnstead, and Pittsfield; died, Pittsfield, December 19, 1841.

Mr. Merrill was prepared for college at the Atkinson Academy. In college he was a scholar of respectable rank, and upon his graduation he began the study of the law with Baruch Chase of Hopkinton. Later he continued it with Amos Kent of Chester, with whom, after being admitted, in 1812, he was for a time a partner in practice. About 1815 he quitted Chester, and made his home in Barnstead for a couple of years, and then settled in Pittsfield.

His practice was largely that of collecting claims, which he performed with more than usual skill, industry, and care. He attended the courts in Strafford as well as in Rockingham (and also Merrimac) County, and was a fair, honest, and quite successful practitioner. In contested causes in the higher courts in which he was engaged, he left most of the work to be done by his leading counsel, having little fluency or readiness in the art of public speaking.

His wife was Nancy T., daughter of Josiah Underhill of Chester. They had several children, among whom were two sons, who followed their father's profession in Pittsfield.

JAMES ALFRED EMERY MERRILL.

Son of Caleb and Nancy Temple (Underhill) Merrill; born, Pittsfield, March 29, 1818; Dartmouth College, 1839; practiced, Pittsfield and Manchester; died, Pittsfield, May 21, 1844.

This excellent young man was a student at law of Ira Perley in Concord, and was admitted in 1842. The two years of his practice he spent partly in his native town and partly in Manchester. His amiable disposition and pleasant manners endeared him to all his acquaintances, and his industry and ability gave

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promise of future professional eminence. But he was attacked by the scourge of our northern climate, consumption, and returned to his native place to die at the early age of twenty-six.

JESSE MERRILL.

Son of James and Molly (Emery) Merrill ; born, Atkinson, July 17, 1778 ; Dartmouth College, 1806 ; practiced, Deerfield ; died, Bradford, Vermont, March 18, 1854.

Mr. Merrill prepared himself to act as an attorney in the office of William K. Atkinson of Dover, and was admitted in the Court of Common Pleas in 1810, and in the Superior Court two years later. He settled at once in Deerfield, and remained there five or six years ; then removed to Bradford, Vermont. In his brief term of practice in New Hampshire so many years ago, as might be expected, he left few traces in the memory of our people or in the records of our courts from which his characteristics can now be learned. He was an older brother of Caleb Merrill of Pittsfield.

RALPH METCALF.

Son of John and Roby (Converse) Metcalf ; born, Charlestown, November 21, 1798 ; Dartmouth College, 1823 ; admitted, 1826 ; practiced, Newport, Claremont, and Plymouth ; died, Claremont, August 26, 1858.

The father of Ralph Metcalf was able to furnish him with one hundred dollars a year to accomplish his education, and the young man made ready for college at the academy in Chester, Vermont. He studied law with Henry Hubbard of Charlestown, with Richard Bartlett of Concord, and with George B. Upham of Claremont. He took the office in Newport which had recently been occupied by David Hale, and practiced there two years. In 1828 he went to Binghamton, New York, and spent two years, and then returned to New Hampshire and began business in Claremont.

In 1831 he was chosen Secretary of State, which required his residence at Concord, and held the post by repeated elections for seven years. While secretary he was appointed by the executive to the office of attorney-general, but declined to accept it. After testing a clerkship in Washington, District of Columbia, for a short time, he returned to New Hampshire and made a brief stay at Plymouth, but returned to practice in Newport.

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In October, 1845, he was made register of Probate for Sullivan County, and continued in the office till 1851. In 1852 he was chairman of the commission to revise the statutes of the State, and in 1852 and 1853 was a representative in the legislature. Two years afterwards he was chosen to the office of governor by the "Know Nothing" or American party, and in 1856 was reëlected by the legislature, on the failure of a choice by the popular vote. After the expiration of his term of office he retired from active employment, and spent the remainder of his life in Claremont.

Governor Metcalf was of a social disposition, a great reader of current literature, and a ready writer. His talents were practical rather than showy. Though not distinguished as a public speaker, he possessed popular qualities and made many friends.

He married, in January, 1835, Lucretia A., daughter of Nathan Bingham of Claremont. She died the following year, and in 1843 he married Martha A., daughter of Captain John Gilmore of Newport. They had a son and a daughter.

JAMES MILLER.

Son of James and Catharine (Gregg) Miller; born, Peterborough, April 25, 1776; admitted, 1803; practiced, Greenfield; died, Temple, July 7, 1851.

When he had nearly reached adult age, Mr. Miller studied at the academy in Amherst, and was admitted to Williams College, but never finished his course there. At the age of about twenty-two years he began the study of the law with James Wilson of Peterborough, and duly settled in practice in Greenfield. Having much inclination for military exercises, he was soon placed in command of a company of artillery in a militia regiment. In that capacity he attracted the attention of General Benjamin Pierce, through whose recommendation, it is said, he was appointed major of the Fourth Regiment of United States Infantry, in 1808.

In the war of 1812 he distinguished himself by his gallant conduct at the battle of Niagara, where he made his celebrated reply to the order to take the enemy's battery, — "I'll try, sir;" and at the sortie from Fort Erie, in which he led a division with consummate courage and judgment. From that war, which was fatal to so many reputations, he emerged a brigadier-general, with the

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highest credit. Congress awarded him a gold medal,[1] and the State of New York presented him an elegant sword, in testimony of his bravery and important services in the field.

In 1819 he was appointed governor of the Territory of Arkansas, and resigned his commission in the army, much to his subsequent regret. The climate of Arkansas disagreed with his health, and in 1823 he returned to Temple. The next year he was elected a representative in Congress, and was appointed collector of customs at the port of Salem, Massachusetts. He accepted the latter office and filled it twenty-four years; then resigned it and retired to his farm in Temple.

Though General Miller was the most intrepid of men, he was without a particle of bluster or show. His letters to his wife afford a pleasant picture of his fondness for his family and home life. He delighted in finding pets for his children. He preferred to spend his evenings in writing to friends, instead of attending the costliest of entertainments. He was full of pleasantry and of sentiment; an unspoiled natural man, of genuine feeling and true honor.

Hawthorne aptly styled him "New England's most distinguished soldier."

He was twice married; first, to Martha, who died young, daughter of Henry Ferguson; second, to Ruth Flint of Lincoln, Massachusetts. By his first marriage he had two children; by his second, five.

LUTHER MILLS.

Mr. Mills was a graduate of Harvard College in the class of 1792. He is credited with having held the office of register of Probate for Windsor County, Vermont, from 1801 to 1815, inclusive. He made his first appearance in this State in 1805, in which year he was admitted to the bar of the Superior Court in Cheshire County. The New Hampshire Annual Registers contained his name as that of a practicing lawyer in Lisbon in 1805 and 1806. It may be that he had an office there, and was domiciled

[1] The inscription on the medal included Chippewa, as well as Niagara and Erie. General Miller was not present at the battle of Chippewa. This is not quite so bad as "to be killed in battle and have one's name spelled wrong in the gazette," but is something akin to it.

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still in Vermont. Windsor in that State was subsequently his home, until his death in 1829.

GEORGE MINOT.

Son of Hon. James and Sally (Wilson) Minot ; born, New London, August 10, 1806 ; Dartmouth College, 1828 ; practiced, Bristol, Gilmanton, and Concord ; died, Concord, March 8, 1861.

After his professional preparation with Nathaniel G. Upham at Concord, Mr. Minot commenced practice in Gilmanton in 1832. The next year he moved to Bristol, and in 1834 to Concord, on receiving the appointment of cashier of the Mechanics' Bank, of which he afterwards became president. He was also treasurer of Merrimac County, United States pension agent for New Hampshire, and treasurer of the Boston, Concord, and Montreal Railroad. In 1850 he was a delegate to the convention to revise the state Constitution. He was better known as a banker and public officer than as a lawyer.

He married, May 1, 1839, Selina W., daughter of George R. Clark of Portsmouth.

JOSIAH MINOT.

Son of Hon. James and Sally (Wilson) Minot ; born, Bristol, September 17, 1819 ; Dartmouth College, 1837 ; admitted, 1840 ; practiced, Bristol and Concord ; died, Concord, December 14, 1891.

This was a younger brother of George Minot, and was fitted for college at the New Hampton Institute. He read law with John J. Gilchrist of Charlestown and Samuel D. Bell of Chester, and first went into practice at Bristol in 1840, but four years afterwards moved to Concord, and became the partner of Franklin Pierce. Mr. Minot was rather retiring, but was acknowledged to be a lawyer of much learning and of great resources. He did not confine his attention to his profession, but was a leader in his political party, a banker, and a railroad president. Without special ambition for preferment, he was in 1852 made a Circuit Judge of the Court of Common Pleas, and after his resignation in 1855, United States commissioner of pensions, and a director and president of the Concord Railroad and the Northern Railroad in New Hampshire. He was also president of the Mechanics'

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Bank, and later a member of the banking-house of Minot and Company.

Judge Minot has been described as one of the most astute business men of his time in the State. His sagacity and judgment, his prudence and foresight, rendered him an invaluable counselor in the great business enterprises with which he was connected. He had no desire to appear on the throne so long as he was the power behind the throne. His opinion controlled boards. Though not a fluent advocate, he had a happy art of explanation and reconciliation. If a stockholders' meeting was to be pacified, Judge Minot with his persuasive tones was the man to bring about unanimity of sentiment. Scarcely any one, for years, exerted so great an influence on the political and railway policy and interests of the State as Judge Minot, in his calm, unobtrusive way.

"As a lawyer in the strictest sense of the term, he maintained a standing in the front rank for forty years."

He was married, August 24, 1843, to Abbie P., daughter of Stephen Haines of Canterbury. One of his three daughters became the wife of George R. Fowler of the Massachusetts bar.

STEPHEN MITCHELL.

Son of Benjamin and Martha (Steele) Mitchell ; born, Peterborough, March 29, 1780 ; Williams College, 1801 ; practiced, Durham ; died there, February 18, 1833.

Mr. Mitchell studied his profession with his uncle, Jonathan Steele of Durham, and settled in practice in that place in 1805. He was a man of talents and standing, and was esteemed a good lawyer. He is said also to have had a literary and even a poetic turn, and to have often contributed to the newspapers of his day ; but nothing bearing his name has come down to the present time. He was chosen by his townsmen to make an address of welcome to Lafayette when he passed through Durham in the summer of 1825, on his way from Concord to Portland, Maine, and we learn that he performed the duty in a "very handsome and appropriate manner." The circumstance that he was an original member of the New Hampshire Historical Society would indicate that his interests extended to matters outside his profession, and that he was recognized as belonging to the better-informed class. He

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was a man of gentlemanly address, and was generally esteemed. His life presents few events for record.

His wife was Sarah, daughter of Major Joseph Mills of Deerfield, and he left no children.

BENJAMIN MOODY.

Son of Caleb and Dorothy (Sargent) Moody ; born (West) Newbury, Massachusetts, November 11, 1777 ; admitted, 1801 ; practiced, Epsom ; died there, February 28, 1820.

Mr. Moody is said to have been the favorite son of his father, and was permitted to grow up to manhood with rather a scanty education. He entered the office of his brother, Stephen Moody of Gilmanton, as a student, and remained five years. In 1803 he established himself in practice in Epsom, which was his home throughout his entire professional life.

He never distinguished himself as a lawyer, though in the earlier years of his practice he was fairly successful in acquiring business. But as time went on his habits deteriorated, and his business was neglected. He died in middle life.

He had married, rather early in life, Betsey, daughter of Daniel Coffin of Newburyport, a sister of the wife of his brother, Stephen Moody. She with one son survived him.

ISAIAH PREBLE MOODY.

Son of Samuel and Lydia (Preble) Moody ; born, York, Maine, December 3, 1804 ; Bowdoin College, 1827 ; practiced, Hampstead ; died, Newton, Massachusetts, February 1, 1885.

This gentleman was by both parents connected with families of note in Maine. He was educated at Phillips Exeter Academy and Bowdoin College, and studied law with Stephen Chase at Fryeburg, Maine. He practiced successfully in Lovell, Maine, in Hampstead from 1835, about two years, and subsequently in his native town ; but afterwards abandoned the profession and adopted agriculture and teaching, as " more congenial to his feelings and principles." Such being his attitude towards the legal calling, it is hardly to be supposed that he achieved any great success in it, though, so far as known, he was a respectable practitioner.

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In 1831 he was married to Hannah, daughter of Rev. Moses Dow of York, Maine. After her decease, in 1847, he married Abby A. Talpey of York, Maine. By his first marriage he had three daughters and two sons; by his second, two daughters.

STEPHEN MOODY.

Son of Caleb and Dorothy (Sargent) Moody; born, West Newbury, Massachusetts, July 21, 1767; Harvard College, 1790; admitted, 1793; practiced, Gilmanton; died there, April 21, 1842.

Trained in the law offices of Pliny Merrick of Brookfield, and of Levi Lincoln of Worcester, Massachusetts, Mr. Moody was admitted to the bar of that commonwealth, and at once established himself in Gilmanton. He was a careful, discreet lawyer, of good principles and correct habits, and speedily gathered friends and business. He was many times chosen moderator of the town meetings, was the postmaster from 1801 to 1829, and the solicitor of the county of Strafford from 1804 to 1819. A decided Federalist in his political opinions, he did not care for public office, except in the line of his profession, being a lawyer first of all. He did not escape the satirical pen of the rhymester of the opposite party, however. Moses L. Neal, in his poem on the Gilmanton convention, in 1812, referred to him as

"Stephen the penman, who struts like a crow."

The point of the description consisted in the fact that Mr. Moody's chirography was a horrid scrawl, dreaded by clerks and deputy sheriffs, and that his measured step and manner of tossing his head as he walked were ludicrously corvine. On the other hand, he was an excellent lawyer and an exemplary man. He was diligent, scrupulous in fulfilling every engagement, amiable, benevolent, and of pleasing manners. If his handwriting was illegible, at least he did not use it to lampoon others; and if his gait was formal, it was that of an honest and true gentleman.

In 1797 he was joined in marriage to Frances, daughter of William Coffin of Newburyport, Massachusetts, and they had three daughters.

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ALPHEUS MOORE.

Son of Major Willard and Elizabeth Moore ; born, Paxton, Massachusetts, August 29, 1765 ; Harvard College, 1783 ; practiced, Keene and Westmoreland ; died, Salisbury, 1803.

Mr. Moore was in practice in Keene as an attorney in 1787, but removed soon after to Westmoreland. There he purchased a farm and acquired "a considerable run of business." About 1791 he sold the farm and business to Jeremiah Mason, with the intention of removing into the district of Maine. Whether he went there is not known, but he is said afterwards to have lived in Walpole, and in Westminster, Vermont.

Mr. Mason, in his autobiography, says of Colonel Moore (for that, it seems, was his title): "With much benevolence of disposition, he was very dissipated and very popular." He was Master of the Masonic lodge, and fond of a carouse.

In 1803 Colonel Moore appeared on a journey in Salisbury, and stopped at a tavern kept by one Lunt. On going out he fell dead in the road, near the Merrimac River. Lunt was alarmed lest he should be suspected of some foul play, and went to Judge Ebenezer Webster for advice what steps he ought to take. The judge examined the body, found a little money in the pockets, summoned in a few of the neighbors, and took down and sealed up their sworn statements as to their knowledge of the affair. When the judge reported to his son Daniel, who was then a law student, what he had done, the latter expressed a fear lest he might have got himself into difficulty by the want of a regular inquest. This troubled the judge, and on meeting Judge Jeremiah Smith a short time afterwards, he told him the story and asked his opinion.

Judge Smith's reply was characteristic: "Does the public complain of what you have done?" "No, sir." "Do Moore's friends complain?" "No, sir." "Did Moore himself complain?" "No, sir." "Then," said Judge Smith, "I think you may go home and rest easy."

Poor Moore's deterioration and unfortunate end are attributed to a bitter disappointment which he had experienced. He was deeply enamored of a young lady living in the southwestern part of the State, and employed a supposed friend to acquaint her with

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his feelings. The emissary proved false, and the lady thereby became lost to her admirer. This is supposed to have rendered Moore reckless and tired of life.

HORACE S. MOORE.

What has been learned of the brief career of this gentleman may be told in a few words. He was a son of William Moore, and was born in Chelsea, Vermont. He was admitted to the bar in Orange County, Vermont, January 13, 1864, came to Wentworth to practice in 1868, and died there after a residence of about three years.

LUTHER SULLIVAN MORRILL.

Son of Luther M. and Louisa M. (Osgood) Morrill ; born, Concord, July 13, 1844 ; Dartmouth College, 1865 ; admitted, 1868 ; practiced, Concord ; died there, March 18, 1892.

Mr. Morrill's precollegiate education was gained in the public schools of Concord, and in that city he studied the law in the office of John Y. Mugridge. In 1869 and 1870 he was assistant clerk of the state Senate, and the two succeeding years clerk. From November, 1869, until 1875, he was clerk of the Superior Court of Judicature, and from 1876 to 1882 of the Supreme Judicial Court. From 1877 to 1882 he was the special police justice of Concord. He relinquished the offices in 1882 to give his time to the practice of the law.

For several years afterwards he was actively concerned in the fire insurance business in the State, as president of the Phenix Mutual Company, as one of the executive committee of the Capital Company, and as vice-president of the Underwriters' Association. In 1886 he served in the lower house of the state legislature. In the several official stations which he occupied he acquitted himself with fidelity and credit.

He was united in marriage, November 26, 1872, to Agnes, daughter of Dr. Charles P. Gage of Concord. She, with a son and a daughter, survived him.

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LEWIS R. MORRIS.

Son of Park and Sophia (Morse) Morris; born, West Fairlee, Vermont, 1816; admitted, 1847; practiced, Haverhill and Lebanon; died, Lebanon, 1876.

Educated in the common schools and in the academy at Newbury, Vermont, Mr. Morris read law in the office of J. W. D. Parker of Bradford in the same State, and of Nathan B. Felton of Haverhill. In the latter place he was admitted. He had given much attention to mathematics and was a proficient in surveying. In 1849 he settled in Bradford, Vermont, and practiced there and also in Haverhill to some extent. Being a man of no little public spirit, he undertook in 1852 the publication of a newspaper devoted to agriculture, but for want of support it was suspended before the end of a single year.

In 1854 he established himself at White River Junction, and there remained, attending to legal business on both sides of the Connecticut, until 1862, when he removed to Lebanon. He is said not to have been a brilliant lawyer, but to have given much attention to current literature, which he read extensively.

His wife was Lucinda B., daughter of Captain Ellis Bliss of Bradford, Vermont.

CHARLES ROBERT MORRISON.

Son of William and Stira (Young) Morrison; born, Bath, January 22, 1819; admitted, 1842; practiced, Bath, Haverhill, Nashua, Manchester, and Concord; died, Concord, September 15, 1893.

At Newbury Seminary, Vermont, young Morrison fitted himself for college by studying three springs and autumns, while he taught school in the winters, and worked in the hayfield in the summers. In 1839 he was admitted a student in the law office of Goodall and Woods in Bath, and upon receiving his attorney's certificate, became the partner of Mr. Goodall. In 1845 he removed to Haverhill, and practiced there till he was appointed a Judge of the Circuit Court of Common Pleas, August 4, 1851. Four years afterwards, by a change of the courts, he lost his office, and resumed practice in Nashua. When the great Civil War opened, he tendered his services to the governor, and received the

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commission of adjutant to the Eleventh Regiment of New Hampshire Volunteers. He was two years in the military service, and was a faithful and courageous officer, having been repeatedly wounded in battle. In 1864 he resigned, and fixed his residence in Manchester.

In the course of the following seven years he prepared and issued a Digest of the New Hampshire Reports, Town Officer, Justice and Sheriff, Probate Directory, and Digest of School Laws; and later, Proofs of Christ's Resurrection. At the end of twelve years Judge Morrison left Manchester for Concord. He remained in the exercise of his profession until his death.

He was an accurate, studious lawyer, better adapted, however, to the desk than to the forum. His Digest and other less pretending, but convenient and useful works, indicate his careful and exact legal knowledge and training. He was industrious and conscientious, though naturally somewhat critical and captious, which detracted from his usefulness on the bench, and interfered with his employment in the trial of causes. With an abundance of energy and pluck, he was inclined to be "grouty," and was sometimes not easy to get on with. But he was honest, true to his trusts, and meant always to do right. His force of character, his professional learning and ability, and his unblemished integrity won him the respect of all thinking men.

He was married, December 22, 1842, to Susan, daughter of Solomon Fitch of Littleton.

GEORGE WASHINGTON MORRISON.

Son of James and Martha (Pelton) Morrison; born, Fairlee, Vermont, October 16, 1809; admitted, 1835; practiced, Manchester; died there, December 21, 1888.

The son of a farmer in narrow circumstances, it was in the common schools and the academy at Thetford, Vermont, that Mr. Morrison had his only instruction before entering the office of Simeon Short, with whom and with Presbury West, Jr., both of Thetford, he acquired his preparation for admission to the Orange County bar. He sought through three or four States for a promising place for settling, and chose Manchester, then just entering upon its marvelous growth. From that time forth he was identified with the place. In 1856 a fire destroyed his property, but

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not his energy or confidence. As the business of the town grew, so did his practice, until it reached the front rank in point of extent and importance. For twenty-five years he was at the head of a large law firm, scarcely if at all rivaled in the State, and encountered in court the best jury lawyers in his section, — Franklin Pierce, Charles G. Atherton, Benjamin M. Farley, Daniel Clark, and the like. It has been estimated that he tried one third more cases during his career than any other lawyer who ever lived in the State. Of course he was a verdict winner of the highest repute. He did not disdain help to influence the jury from any source. Acquaintanceship, political affiliation, cajolery, catering to prejudice, in short, any of the artifices to captivate the sympathy and favor of jurors, it is alleged that he never hesitated to use for their full worth. But these of course were not his chief weapons. He was strong in statement, adroit in explanation, logical in argument, earnest in persuasion. Nothing disturbed his self-possession. The most unexpected and damaging evidence left him as cool as it found him. His smile was confident, while his remarkable judgment rapidly reconstructed his case on new and impregnable lines.

Mr. Atherton, after an unsuccessful tilt with him in 1850, expressed his opinion of him in these terms: "He began practice under three disadvantages, ill health, defective education, and poverty; but nothing in the court-room escaped him. He is self-reliant, his examination of witnesses is thorough and exhaustive, his perceptions are clear, his arguments logical and condensed, he has a wonderful faculty of seizing the strong points and putting them to the jury. He now stands at the head of the bar. I have never seen a man I was more afraid of as a lawyer."

Mr. Morrison was a representative in the legislature five years between 1840 and 1850, an active and influential member, and two years chairman of the committee on the judiciary. The provision in the city charter of Portsmouth making the wards towns was his, and though at first opposed as unconstitutional by a man as able as Daniel M. Christie, was acquiesced in by him after the lucid demonstration of Mr. Morrison.

He was solicitor of Hillsborough County from 1845 to 1849, and a representative in the Thirty-First and Thirty-Third Congresses of the United States. He supported the measures of the Democratic party, until the Kansas-Nebraska bill came up. That

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encountered his uncompromising opposition. His speech against it was thought the ablest that the question called forth.

After forty years' experience in the courts, his waning health and strength rendered him not unwilling to lay aside his armor and to retire from the arena. He died, not from active disease, but from nature's decay.

He was married, November 5, 1838, to Maria Louisa Fitch of Thetford, Vermont.

SAMUEL MORSE.

Son of Hon. John and Hannah (Adams) Morse ; born, Dublin, February 7, 1784 ; Dartmouth College, 1811 ; admitted, 1815 ; practiced, Croydon ; died there, January 1, 1865.

Mr. Morse studied law with Samuel Dakin of Jaffrey, Jonathan Barnes of Tolland, Vermont, and George B. Upham of Claremont. He commenced practice in Croydon in 1815. In 1834 he represented the town in the legislature, and in 1850 was a delegate to the state constitutional convention. He was well grounded in the elements of the law, was possessed of a well-balanced judgment, and was true to his employers. No practitioner in his county in his prime made more entries in court than he; and his reputation for entire honesty gained him much influence with juries and with the people at large.

About the year 1830, in order to secure a debt, he took possession of a woolen factory, and in attempting to superintend it he was so unfortunate as to lose most of the property that he had gained. Later, however, by inheritance and by professional labor, he regained a moderate competence. For the last thirty years of his life he was a farmer as well as a lawyer.

He was slow of speech but determined in action. Sometimes he indulged in a dry, quaint humor. In a land suit his opponent boastingly said he cared little for the value of the land, and would *give* the other party a part of it, if he needed it. Mr. Morse in reply gravely likened the proposal to that of Satan, when he offered to the Saviour all the kingdoms of the earth, *and did not own a rod of one of them!*

Mr. Morse's benevolent disposition cannot better be illustrated than by the statement of the lawyer from whom most of the foregoing particulars were learned: "I remember his kindness to me when I was a barefooted boy, and I always loved him."

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He married, September 16, 1827, Chloe C., daughter of Dr. Reuben Carroll of Croydon, and had one daughter.

WILLIAM SAXTON MORTON.

Born, Roxbury, Massachusetts, September 22, 1809; Harvard College, 1831; practiced, Amherst; died, Quincy, Massachusetts, September 21, 1871.

The subject of this notice read law in the office of Sidney Bartlett of Boston, Massachusetts, and finished his studies with Hamilton E. Perkins of Hopkinton in 1839. Admitted as an attorney, he began practice in the office of Perley Dodge of Amherst the same year.

Mr. Dodge described him as "a young man of brilliant talents, more inclined to practice with the fish-hook and shot-gun than to pore over the musty volumes of Blackstone and Coke." Being born to fortune, and having no liking for the legal vocation, when he left Amherst for Quincy, Massachusetts, after about two years, he sought a different occupation. He became engaged there in fire insurance and other corporations; he was mainly influential in establishing the Quincy Fire Insurance Company, and the bank at Quincy. He maintained a yacht, and had a lodge on the seashore, — luxuries that few lawyers of New Hampshire certainly could afford from the avails of their practice.

He married, October 30, 1839, Mary J. W. Grimes, a niece of Judge Levi Woodbury, and had six children.

EDWARD SMITH MOULTON.

Son of Simon and Lydia (Moulton) Moulton; born, Moultonborough, June 5, 1823; practiced, Meredith; died there, November 4, 1855.

Mr. Moulton, with no more than a common academical education, prepared himself for the legal profession in the office of Samuel Emerson of Moultonborough, and in Boston, Massachusetts, and about 1850 began to practice in the village of Meredith. He was of "more than ordinary ability, level-headed, industrious, painstaking, conscientious." He prepared his cases thoroughly, and tried them well for one of so little experience. He was a man of promise, with a prospect of becoming a leader. He was also active in church work. It was indicative of the standing he

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had attained in his brief period of practice that he received shortly before his decease the appointment of solicitor of his county.

His wife, married in 1852, was Sarah Hidden of Tamworth. They had one son, who died in infancy.

OLIFF CECIL MOULTON.

Son of Hon. Lewman G. Moulton ; born, Ossipee, c. 1848 ; admitted, 1870 ; practiced, Ossipee ; died there, January 29, 1875.

With a good education, and the professional knowledge acquired during the prescribed course of study completed in the Harvard Law School, where he was graduated LL. B. in 1870, Mr. Moulton started in practice in Ossipee. In 1874 he received the appointment of solicitor of Carroll County, and a prosperous future appeared clear before him, when his career was suddenly cut short by a mortal disease.

JOHN YOUNG MUGRIDGE.

Son of Benning and Nancy (Chase) Mugridge ; born, Meredith (now Laconia), April 15, 1832 ; admitted, 1854 ; practiced, Concord ; died there, April 14, 1884.

Mr. Mugridge was fitted to enter college at the academy in Gilford, and then began the study of the law with Thomas J. Whipple of Laconia. He completed it with Asa Fowler of Concord, and in that place engaged in practice.

He was city solicitor of Concord from 1861 to 1868; representative in the legislature in 1862, 1863, and 1875; state senator in 1868 and 1869; and in the latter year president of the Senate.

He had the advantage of a fine personal appearance, a pleasant, resonant voice, and a frank, cordial manner. His popularity was universal. He has been described as "one of the best all-round lawyers" of his time, and had a wonderful capacity for work. It is stated that he was engaged in more jury cases in his own and other counties than any other practitioner in the State. In most of the important trials occurring in the central portion of New Hampshire, he took a leading part, and was prominently known as counsel in railroad cases of magnitude. He was held in no less esteem by his brethren of the bar than by laymen, so honorable were his dealings, and so indisputable was his profes-

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sional eminence. He fought his forensic battles fairly, and met the emergencies of a trial with ready skill and power. And when the contest was over, whether victor or vanquished, he flaunted no triumph and harbored no malice.

The younger men regarded him as their representative and champion, and rejoiced in his successes. But the prodigious vitality of the man was at length sapped by his untiring labors, and the sudden close of his career brought a shock to the community, to whom he had seemed the embodiment of strength, mental and physical.

He was married, December 31, 1857, to Maria G., daughter of Dr. Leonard Eaton of Warren. She, with their two children, survived him.

JOHN MUZZEY.

Son of John and Hannah Muzzey ; born, Dublin, September 3, 1778 ; practiced, New Ipswich ; died, Middlebury, Vermont, January 28, 1813.

Very little information respecting this gentleman is accessible. He fitted himself for the legal profession in Boston, Massachusetts, it is believed, and about the year 1810 or earlier was in practice in New Ipswich, but not for a long time. He is said also to have practiced in Fitchburg, Massachusetts, perhaps before he came to New Ipswich. The tradition also is that his standing as a lawyer was high, for the time when he lived.

He married, about the year 1800, Nancy, the youngest daughter of Rev. Stephen Farrar of New Ipswich, and became the father of seven children.

MOSES LEAVITT NEAL.

Son of John Neal ; born, Hampton, 1767 ; Harvard College, 1785 ; admitted, 1793 ; practiced, Londonderry, Rochester, and Dover ; died, Dover, November 25, 1829.

Young Neal was quick to learn, and entered Dartmouth College at the age of fourteen. At the close of his sophomore year he migrated to Harvard. After his graduation he was engaged for five years in teaching; then studied law with John Prentice at Londonderry. He practiced in that town three years, in Rochester about ten years, and in 1806 took up his residence in Dover, where for a while he kept a select school. In 1809 he was

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chosen clerk of the state House of Representatives, and was annually reëlected until 1828, with the exception of two years. In 1816 he was appointed register of deeds for Strafford County, and continued to hold the office till his death. He was said to be diffident of his legal abilities, and not sorry to obtain a place which gave him a permanent support.

Mr. Neal was a keen politician, and favored the war of 1812. Having a knack at versification, he found employment for his pen in ridiculing his political opponents. Some specimens of his style are given in notices of his contemporaries, in this work. He published other poems, also, one under the remarkable title of "Minimaltasperus," in 1786; another called "the Presbyteriad," in pamphlet form, in 1797; but they are inaccessible at this day.

He excelled as a classical teacher. He was improvident, and not seldom in pecuniary straits. In his family relations he was affectionate and kind, and in his intercourse with others was affable and obliging. But his ways of life did not tend to foster habits of sincerity and truthfulness. One day, when he was inveighing with much virulence against a brother lawyer, the latter suddenly appeared. Neal's manner changed in an instant. Holding out his hand to the new-comer, he exclaimed in the heartiest manner, "Ah, my good old Christian friend, how glad I am to see you!"

He was married, first, in 1793, to a daughter of John Prentice of Londonderry. After her decease he married, in 1820, Sarah Forbish. He had a numerous family of children.

JOHN NELSON.

Son of Jonathan and Martha (Folsom) Nelson; born, Exeter, January 4, 1778; Dartmouth College, 1803; admitted, 1806; practiced, Haverhill; died there, May 3, 1838.

Mr. Nelson qualified himself for the bar under Charles Marsh of Woodstock, Vermont, and Peter O. Thatcher of Boston, Massachusetts, and established himself in Haverhill. From his youth he exhibited superior intellectual powers, but he lacked the physical stamina to bear the exhausting labors of the court-room, nor was his voice adequate to the work. But he has been described as "nearly as good a lawyer as Joseph Bell," who was at the head of the bar in Grafton County. He was a man of few

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words, but as a counselor was much trusted, and he held many town offices. Of pure life and character, he was outspoken in his hostility to negro slavery, at a time when the avowal of such sentiments required some moral courage, even in New England. He wore the blue coat and bright buttons which are associated with the memory of more than one man of note, and this dress, together with his measured step, probably gained him the sobriquet of "Admiral," by which he was commonly designated.

Mr. Nelson married, in 1810, Susannah, daughter of General Ebenezer Brewster of Hanover. She lived but a short time, and he took for his second wife Lois B., daughter of John Leverett of Windsor, Vermont. They had sixteen children, of whom eleven reached maturity. One of their sons, Thomas Leverett Nelson, followed the profession of his father, and at least five of the daughters became wives of lawyers.

SETH NEWCOMB.

Son of Hon. Daniel and Sarah (Stearns) Newcomb ; born, Keene, October 20, 1786 ; Harvard College, 1804 ; practiced, Keene ; died there, October 31, 1811.

This was a son of Judge Newcomb. He probably commenced his law studies with his father immediately after his graduation. As he was admitted to the Superior Court in 1809, he must have been an attorney of the Common Pleas two years before that time. The inscription upon his tombstone declares that his short life was active, but too much devoted to the world, and that severe and long-continued sickness led him to a full conviction of the truth of our holy religion, and to humility and penitence. He was but twenty-five years old.

CHRISTOPHER G. NEWTON.

Son of Erastus and Betsey (Beckwith) Newton ; born, Newport, January 15, 1803 ; Middlebury College, 1827 ; practiced, Washington ; died, Lawrence, Massachusetts, February 15, 1871.

The boyhood of Mr. Newton, like that of many of the lawyers of the State, was spent in farming. He prepared himself for the bar with his uncle, Hubbard Newton of Newport, and about the year 1835 entered into practice in Washington. There he resided

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twelve or fifteen years, and then removed to Lawrence, Massachusetts, where he remained until his death.

He was married, June 9, 1835, to Harriet Hubbard of Washington, and had a son and a daughter.

HUBBARD NEWTON.

Son of Christopher and Mary (Giles) Newton ; born, Newport, January 1, 1780 ; Dartmouth College, 1804 ; practiced, Newport, Amherst, and Claremont ; died, Newport, February 15, 1847.

Mr. Newton accomplished his law studies in the office of Samuel Bell of Francestown, and began to practice at Newport in 1806. After a stay there of thirty years, he removed to Amherst and succeeded to the business of Edmund Parker, who had just changed his residence to Nashua. Amherst remained his home, however, but five years, when he went back to Newport, and resided there the rest of his life, with the exception of two years, when he maintained an office in Claremont as a partner of his son, William F. Newton.

He enjoyed a fair share of professional business, and for a large part of his life gave considerable time to the pursuit of agriculture also. In 1830 he, in connection with his son, Charles H. E. Newton, established a weekly newspaper in Newport, which had a life of three years.

Mr. Newton represented Newport in the legislatures of 1814 and 1815, and was moderator of the town for seven years. He was deeply interested in the subject of education, acted upon the school committee, and was an originator and trustee of the Newport Academy. He was one of the earliest advocates of total abstinence, and delivered numerous addresses on this and other subjects, and also contributed articles for many years to the newspaper press. He was a member of the Congregational church.

Mr. Newton was married, in 1802, to Abigail, daughter of David Lyon of Newport. They had eight children, one a lawyer.

THOMAS NEWTON.

Mr. Newton is presumed to have been born in England in 1659 or 1660, received his education there, and came to this country in 1688, in which year he was sworn as an attorney in Boston,

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Massachusetts. First receiving the appointment of comptroller of customs, he was afterwards, in May, 1692, made "attorney of their majesties" to prosecute the witchcraft cases in the special tribunal which was created for that purpose. Some months later he acted as secretary of the province of New Hampshire for less than a year. He practiced somewhat in the courts here, subsequently, but it is doubtful if he was ever domiciled in this province. His death occurred in Boston, May 28, 1721, while he was deputy judge of the Court of Admiralty, and attorney-general of Massachusetts. He was much esteemed for his high professional and personal character.

ARTHUR FITZROY LIVINGSTON NORRIS.

Son of Captain True and Olive (Prescott) Norris; born, Pittsfield, March 17, 1821; Dartmouth College, 1845; admitted, 1846; practiced, Pittsfield and Concord; died, Concord, November 1, 1889.

Mr. Norris pursued his ante-collegiate studies at the academy in Pittsfield, read law with his uncle, Moses Norris, in the same town, and practiced there from 1846 to 1854. In the latter year he went to Lowell, Massachusetts, and there lived till 1861. For the next fifteen years he was a part of the time in Boston and a part in Lynn, Massachusetts, engaged assiduously in his profession. In 1876 he returned to New Hampshire, opened his office in Concord, and continued his residence there as long as he lived, with the exception of a year or two which he spent in Pittsfield.

He was a tall, muscular man, and in his youth was renowned as a wrestler. While he was in college he was called forth to sustain the honor of the institution in a bout with the champion wrestler of the vicinity, and in five minutes' time despoiled him of his laurels. Among his fellow collegians he was thought worthy from that time forth to be ranked with the athletes of classical story.

Like most men of great physical powers, he was extremely good-natured. He was one of the most industrious of lawyers, and gave his days and nights to his causes. Politics he cared little for, and never accepted office. He was especially adapted to the work of the court-room, and it is stated that while he was in practice in Massachusetts no member of the bar there for several years was engaged in as large a number of jury trials as he. In

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this State his practice was scarcely less extensive. As an advocate he was eminently successful.

He was married, in 1846, to Olive Wallace of Dover. They had ten children, nine of whom survived him. His eldest son, Arthur F. Norris, is a lawyer of Boston, Massachusetts.

MOSES NORRIS.

Son of Moses and Comfort (Leavitt) Norris; born, Pittsfield, September 16, 1799; Dartmouth College, 1828; practiced, Barnstead, Pittsfield, and Manchester; died, Washington, District of Columbia, January 11, 1855.

This gentleman studied law with Isaac O. Barnes of Barnstead, and began practice and was appointed postmaster in that place in 1832. Three years afterward he decided to remove to Pittsfield, and there became prominent in political affairs, which occupied a large share of his attention during his remaining life.

He was chosen representative in the General Court from Pittsfield from 1837 to 1840, and was honored with the speakership the last two years. In 1838 he was appointed solicitor for the county of Merrimac, and served five years. In 1841 he was a member of the Executive Council. He was elected a representative in Congress in 1843 and in 1845. In 1847 he was again returned to the state legislature, and was a third time chosen Speaker; and in 1849 he was elected United States senator for the term of six years. He did not live, however, to complete the full period.

Mr. Norris possessed exceptional abilities, and the power of inspiring confidence in a marked degree. His attractive personal qualities gained him many and warm friends. Though in early life he was diffident and unambitious, and somewhat slack in his business habits, he acquired a large practice and an influential position at the bar. He was honest and generous in his dealings, and inclined to promote the settlement of disputes rather than to push them to a judicial determination. Had he abstained from political employments, he might have attained even greater eminence as a jurist. It was understood, however, that President Pierce, who was acquainted with his qualifications, was intending to give him a judicial appointment, had he lived to complete his senatorial term.

Mr. Norris was a thorough partisan, and took a leading part in

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the prosecution and trial of Rev. George Storrs for conducting an abolition meeting in Pittsfield in 1835. No doubt this contributed to his popularity with the mass of his own party, at least at that time, difficult as it is for the people of the present day to share or even to comprehend the reason of the feeling.

He married, about 1834, Abigail, daughter of Captain Walter A. Todd of Portsmouth, and had six children, three of each sex.

WILLIAM TAYLOR NORRIS.

Son of William C. and Sallie (Elliott) Norris; born, Danbury, April 1, 1820; admitted, 1849; practiced, Danbury and Concord; died, Danbury, March 30, 1889.

The youth of Mr. Norris was passed upon a farm. At the age of twenty he began preparation for college at Canaan Academy, and took a partial course at Norwich University, Vermont. After some study of theology, he read law with Weeks and Sargent at Canaan, and with Crofoot and Brodhead at Pontiac, Michigan, and was in that State admitted an attorney, and practiced about a year. His wife's health induced him to return to New Hampshire.

He then sought his fortune in California, but, failing to find it, came back to his practice in Danbury in 1854. In 1856 and 1857 he was a representative in the legislature. He entered into partnership with Samuel B. Page in 1875, their office being in Concord. They were counsel for Joseph Le Page, indicted for the murder of Josie A. Langmaid at Pembroke, and on the second trial Mr. Norris made the closing argument to the jury. About 1883 he returned to Danbury.

He is described as a sincere, careful, painstaking counselor, standing well among the members of the profession, and esteemed by the Court. "Rather a brilliant man, but not pushing." Dartmouth College gave him the degree of A. M. in 1857.

He was married, and left a son and a daughter.

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PARKER NOYES.

Son of Rev. Nathaniel and Sarah (Noyes) Noyes ; born, South Hampton, November 18, 1776 ; Dartmouth College, 1796 ; admitted, 1801 ; practiced, Warner and Salisbury ; died, Franklin, August 18, 1852.

Mr. Noyes is described by Moody Kent as in his youth "a staid, sober lad, apt to learn." Such he continued in his manhood. Upon quitting college he had some experience as a teacher, and then entered the law office of Thomas W. Thompson of Salisbury as a student. After two years' practice in Warner, he returned as a partner of Mr. Thompson in that part of Salisbury which is now Franklin. He never moved away.

He had a good mind and plenty of disposition for work. He kept up his familiarity with the Latin and French tongues, and transcribed all of Saunders's Pleadings which were applicable to this country, changing the Norman-French into English ; and also translated a portion of Bracton from the Latin. After he was seventy he read the poems of Horace in the original. Lord Coke was one of his favorite authors.

He was an accurate and learned lawyer, more distinguished for strength than for quickness. Cool and deliberate under all circumstances, "cantharides," said the witty N. P. Rogers, "would not hurry him." His mere statement of a case was so candid and impressive that it was equal to another man's argument. He was highly successful as an advocate, and not less so because he was known never to advise a suit on doubtful grounds. To one who came to him with a claim against his neighbor for damage just done by his cattle, he wisely replied, "Go home, and at the end of a year present him your bill." The advice was taken, and the bill cheerfully paid.

In 1812 Mr. Noyes was appointed county solicitor, and performed his duties for five years ; but in 1823, when the commission of Judge of the Superior Court was tendered him, he declined it. He served as a representative in the legislature in 1829, but refused to be a candidate a second time. He was essentially modest and retiring, and honestly preferred "the private station." He bade adieu to the law before he became old, and passed the rest of his life in the cultivation of his land, in the companionship of his books, and in doing good offices to his neighbors and

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townsmen. Daniel Webster greatly esteemed him, and never visited Elms Farm without seeing him. He valued his old friend no less for his high honorable character than for his superior abilities, his wide learning, and his eminent professional standing.

Mr. Noyes's first wife, Ellen, daughter of Deacon Thompson of Newbury, Massachusetts, died in middle life, and he married, in 1828, Anne, daughter of Greenleaf Clark of Newburyport. He had three children.

WILLIAM H. NUTT.

Born, Nashua, January 8, 1838 ; practiced, Nashua ; died there, September 19, 1886.

In the schools of Nashua Mr. Nutt was educated, and there he studied law with Charles R. Morrison, whose partner he became about the year 1860, and continued two years. He was not particularly successful in the law, and after Mr. Morrison went into the army ceased practice, and afterwards engaged in other business of various kinds.

He was twice married.

FLETCHER ODELL.

Son of Hon. Richard and Molly Eastman Odell ; born, Conway, April 1, 1812 ; practiced, Shelburne ; died there, June 27, 1882.

The stimulus of need, which contributes so largely to human success, was wanting to Mr. Odell. He read law with Fessenden and Deblois in Portland, Maine, and was probably there admitted an attorney. It is said he was an unusually bright student. He came to Shelburne about the year 1840, and though abundantly qualified for practice, he never made any effort to obtain it, and did nothing beyond some office or justice work. He was eccentric, and spent the greater part of his time in fishing and farming. "While at times intemperate, he had an honorable character, was just in his dealings with all, liberal, and honest."

He was unmarried.

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LORY ODELL.

Son of Hon. Richard and Molly (Eastman) Odell ; born, Conway, September 16, 1801 ; Bowdoin College, 1823 ; practiced, Portsmouth and Hampton ; died, Portland, Maine, March 23, 1883.

The subject of this notice read law one year with Judah Dana of Fryeburg, Maine, and finished his studies in the office of Jeremiah Mason at Portsmouth. In that place he began practice, about 1827, as a partner of Charles W. Cutter, and did a good share of business, especially in writ making, which was then abundant and tolerably profitable. Mr. Odell became a little affected by the mania for land speculation, and went to Georgia and invested some money there. Perhaps fortunately, he lost his venture and returned. Two or three years he had his office in Hampton, but he never did much in the practice of the law after that, though he attended the courts, and never gave up his profession. He twice held the office of collector of the port of Portsmouth, first in 1844, less than a year, and again in 1849, nearly four years. In July, 1855, he received the commission of Judge of the Police Court of Portsmouth, and acceptably filled the position until 1871. His knowledge of the law, his pride in the correct performance of his duties, and his entire independence made him a model magistrate. It was while he occupied this position that he is said to have judicially decided that the word "damn" is not legally profane. Probably he meant that the question of its profanity was to be determined by the context.

Judge Odell was a tall, slender, erect man, of prominent features and striking figure. He habitually wore a blue dress-coat with bright buttons, a stiff neck-stock, and gold spectacles, and was altogether a man to attract attention anywhere. A current but probably exaggerated story represents that after inspecting himself in a mirror one day, he pronounced judgment as follows: "Not handsome, but devilish genteel."

In this connection it is not out of place to quote a scrap from a doggerel rhyme that some wag of Portsmouth composed, in which in allusion to Mr. Odell's facetious qualities, and the slenderness and uprightness of his figure, he described him as —

"Lory the joker,
Whom some call the tongs and others the poker."

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In his later years Judge Odell was a great reader, and passed much of his time in the library of the Portsmouth Athenæum. There he might be found at almost any hour, with elevated feet and a substantial volume in his hand, poring over the lucubrations of some author of the olden time. But he was always ready to lay down his book and bid a friend welcome, in his brisk, decided tones. For he was as fond of social intercourse as he was of reading, and was a most genial companion, full of anecdote and pleasant talk.

He never married.

EDWARD RUFUS OLCOTT.

Son of Hon. Mills and Sarah (Porter) Olcott; born, Hanover, August 9, 1805; Dartmouth College, 1825; admitted, 1828; practiced, Hanover and Haverhill; died, Louisiana, 1869.

It was in the office of his brother-in-law, Joseph Bell of Haverhill, that Mr. Olcott qualified himself for his profession. He began to practice in Hanover in 1828, and moved to Haverhill in 1830. His connection with the bar of New Hampshire was soon ended by his removal to the South in 1834. He settled in Louisiana, and received the appointment of a Judge in that State.

He was thrice married; first, to Charlotte A., daughter of Thomas Burns of Gilmanton, June 17, 1829; second, to Lucia, daughter of Rev. Thomas J. Murdock of Canterbury, Connecticut; third, to Mrs. Elizabeth Gosman, daughter of John Van Valkenburg of Cincinnati, Ohio, July 13, 1852.

GEORGE OLCOTT.

Son of Hon. Simeon and Tryphena (Terry) Olcott; born, Charlestown, November 22, 1785; Yale College, 1805; admitted, 1808; practiced, Charlestown; died there, February 4, 1864.

Mr. Olcott was prepared for college at the Phillips Exeter Academy, and prosecuted his law studies in the office of Benjamin West in his native town. It was there that he practiced from 1810 to 1824. Then upon the incorporation of the Connecticut River Bank in Charlestown he was chosen its cashier, and filled the situation during forty years, until the day of his death.

He was a discreet, careful lawyer, with no ambition for display,

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but satisfied to do conscientious service for his clients. His townsmen availed themselves frequently of his services in the performance of public duties which did not take him away from his daily vocation. Five years, beginning in 1819, he was town clerk, and four of them a selectman; three years, beginning in 1842, he was moderator; and twenty-six years he was treasurer of the town, from 1837 to his decease. But, though urged, he would never consent to serve in the legislature.

As an officer of a banking institution he was a model for imitation, — prudent, careful, thorough, and exact.

He is said to have been a peculiarly unselfish man. He had a ready sympathy for the joys and sorrows of the young and old; and as a citizen "was generous and public-spirited, and always lent his influence and used his means in a right direction."

Mr. Olcott's first marriage, which occurred in 1831, was with Mrs. Charity, widow of Deacon Benjamin West. His second wife was Emily A., daughter of Isaac Silsby of Charlestown, and was the mother of his three children, all sons.

MILLS OLCOTT.

Son of Hon. Peter and Sarah (Mills) Olcott; born, Norwich, Vermont, May 21, 1774; Dartmouth College, 1790; admitted, 1798; practiced, Hanover; died there, July 11, 1845.

Mills Olcott was a precocious lad, fitted for college at twelve. Four years after his graduation he spent chiefly in his father's service, and then studied law with Stephen Jacob of Windsor, Vermont, and with Benjamin West of Charlestown. He began to practice in Hanover in 1800. His natural gifts, his experience in transacting business under his father's eye, his social position, and his popular qualities, all combined to make his counsel sought and his opinions respected. He was for many years a lawyer of the highest standing and a leading and influential citizen. He was modest, benevolent, and just on principle. He repeatedly represented the town in the legislature; in 1814 he was sent by his political friends of Grafton County a delegate to the Hartford convention; in 1816 he was made treasurer of Dartmouth College, and in 1821 a trustee. He was president of the Grafton Bank and a director more than twenty years, and president of the county Bible Society. On important public occasions his in-

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fluence, his commanding presence, and his personal accomplishments designated him as the fitting presiding officer. His leading attributes have been summarized as "modesty, judgment, integrity, benevolence, urbanity, and great moral worth."

His humor gave a pleasant zest to his conversation. To some one who condoled with him for his loss of the sense of smell,[1] he replied "I don't look upon it as a misfortune. There are nine bad smells in the world to one good one, and I congratulate myself on having escaped *them*."

Mr. Olcott married, in November, 1800, Sarah, daughter of Colonel Asa Porter of Haverhill. Nine children were the issue of the marriage, of whom two sons were lawyers, and the five daughters became the wives respectively of Joseph Bell, Rufus Choate, William T. Heydock, William H. Duncan, and Charles E. Thompson, constituting a family circle perhaps unexampled in point of talents and learning.

WILLIAM OLCOTT.

Son of Hon. Mills and Sarah (Porter) Olcott; born, Hanover, September 19, 1806; Dartmouth College, 1827; admitted, 1830; practiced, Hanover; died, Shreveport, Louisiana, April 1, 1851.

Mr. Olcott was prepared for college in Moor's school in Hanover. Two years of his collegiate course he was in Yale, and was then transferred to Dartmouth. He carried on his professional studies in the office of his brother-in-law, Joseph Bell of Haverhill, and began to practice in Hanover in 1830. He was dissatisfied with the results of the labors of a country lawyer, and in 1835 abandoned the profession and engaged in mercantile business in Rochester, New York. In 1843 he proceeded to Buffalo, and in 1846 to Shreveport, Louisiana, but was never very successful in acquiring property.

His wife was Harriette A., daughter of John Hinsdale of Middletown, Connecticut, and of their five children three survived him.

[1] William Wordsworth lacked the sense of smell also. But on one occasion he is said to have enjoyed it in a remarkable fashion, — "He smelled a bean-field, and thought it heaven!"

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NATHANIEL KEMBLE GREENWOOD OLIVER.

Son of Rev. Daniel and Elizabeth (Kemble) Oliver ; born, Beverly, Massachusetts, October 5, 1790 ; Harvard College, 1809 ; practiced, Cornish and Rindge ; died on board United States ship Potomac, May 1, 1832.

Mr. Oliver was prepared for college at the Phillips Exeter Academy. On taking his degree of M. A. at Harvard in 1812, he delivered a poem entitled "Ode on Fancy." In the midst of it his classmate, Horace Bigelow, appeared upon the stage, with his head bandaged on account of a wound received by him a few days previously in defending General James M. Lingan and others from the attack of a "war party" mob in Baltimore. Political feeling ran high at that time, and the audience were evidently in full sympathy with Bigelow, and applauded him to the echo. Mr. Oliver's exercise was interrupted by it for a moment, but with wonderful readiness and presence of mind he improvised these lines: —

> "Hail, Bigelow ! hail, fair Harvard's worthy son,
> Thy country greets thee with a warm 'Well done !'"

Mr. Oliver studied law, and opened an office in Cornish in 1817 ; but changed his location to Weathersfield, Vermont, soon after, and about 1822 to Rindge. Apparently he did not take to the law, for it was not long before he removed to Boston, and was there employed as a teacher.

Being appointed secretary of the commodore on the United States ship Potomac, he died on board of her, of consumption.

He was distinguished as a scholar, and appears to have been valued and beloved by all his associates. On the day following his death, two thousand and eighty dollars were subscribed by the officers and men of the ship for his bereaved family.

His wife was Ann T. Hunt, and he had children.

HENRY HARVEY ORNE.

Son of Isaiah and Mary (Rust) Orne ; born, Wolfeborough, February 23, 1786 ; Dartmouth College, 1812 ; practiced, Meredith and Wolfeborough ; died, Wolfeborough, December 12, 1861.

The name of this gentleman's family is said by Farmer to have been originally Horn. He studied his profession with John P. Hale of Rochester, and John Holmes of Alfred, Maine. He

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began to practice in Meredith Bridge, now Laconia, in 1816, and continued there about twenty years, with the exception of four years, from 1819 to 1823, when he was in Wolfeborough. Not far from the year 1836 he again returned to his native town, and settled on a farm, where he did little, if any, law business, and ended his days.

Mr. Orne was noted for a lively sense of humor, and occasionally made amusing remarks. For some years he was treasurer of the old county of Strafford. While he was in office the Court of Sessions was abolished and the Court of Common Pleas established in its place. Still the Court of Sessions continued to sit and to send out orders to the county treasurer. Orne refused to pay the orders. "When these little judges die," said he, "let them find the money for their own funeral!" Though eccentric, he possessed a good deal of ability; he was well meaning, and the people had faith in him and liked him. He was something of a writer, though he did not often turn his hand to authorship.

His wife was Caroline, daughter of Solomon Chaplin of Georgetown, Massachusetts. She was well known to the readers of the last generation as Mrs. Caroline Orne, the author of many graceful and pleasant poems in the magazines and journals of the time.

HIRAM OSGOOD.

Born, Loudon, c. 1795; admitted, 1823; practiced, Epping; died, Grandville, Michigan, November 29, 1840.

Mr. Osgood studied his profession under the direction of Josiah Butler and Ira St. Clair of Deerfield; was originally admitted to practice in Pennsylvania, and afterwards in the Superior Court of this State in 1823. He established himself in Epping, and remained in practice there nearly fifteen years, and then removed to Michigan, where he was in extensive business, professional and mercantile.

He is described as a fair and respectable practitioner. The bar of his county in Michigan, after his decease, passed resolutions expressive of their high sense of his worth.

His wife was a Miss Lawrence of Epping.

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DAVID PAGE.

Son of Samuel Page ; born, Haverhill, Massachusetts, August 6, 1809 ; admitted, 1845 ; practiced, Haverhill ; died there, July 1, 1881.

Mr. Page's parents made their home in Benton, when their son was but four years of age. As he grew up to manhood he assisted in doing the farm work, with only the limited advantages of a country district school. When he reached his majority he attended the Haverhill Academy several terms, supporting himself the while, and thus prepared himself for school-teaching, which he followed for some winters at Grafton and elsewhere. Somewhere about 1840 he took up his residence in Haverhill, and there practiced his profession from 1845, most of the time, to the date of his decease. A few years he was engaged in mercantile business. After the close of the Civil War he was extensively occupied in procuring pensions.

Mr. Page seems to have been an unassuming man, who attended faithfully to business, and had the respect and good opinion of all. He was repeatedly chosen to positions of responsibility in the places of his residence.

His wife was Margaret Taylor of Derry. They were married December 31, 1844, at Groton. Of their five children, Samuel T. Page is a lawyer in Haverhill, and Elvira Page became the wife of Hon. Alvin Burleigh of Plymouth.

GEORGE PAINE.

Son of Hon. Elijah and Sarah (Porter) Paine ; born, Williamstown, Vermont, January 2, 1807 ; Dartmouth College, 1827 ; practiced, Northumberland ; died, Massillon, Ohio, October 3, 1836.

Young Paine enjoyed the best advantages in social position and in early training. He prepared himself for college in the Phillips Exeter Academy, and pursued his law studies first with Chancellor James Kent in New York, and afterwards with Joseph Bell in Haverhill. He was admitted in 1830, and began practice in Northumberland. In 1833 he removed to Providence, Rhode Island, and became the editor and one of the proprietors of the "Journal" newspaper of that city. Continuing there but three years, and having purchased a tract of land in Massillon, Ohio, he

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removed to that place, and opened a law office there. But he survived the change of residence less than five months. He was seized with congestive fever, which terminated his career, after a brief illness.

Thus at the early age of twenty-nine disappeared from the scenes of active life one of whose future distinction his many friends had formed the most sanguine hopes. Physically, mentally, and morally he was generously endowed.

He married, May 12, 1829, Martha Olcott, daughter of Benjamin Porter of Newbury, Vermont, and left her with two sons, one of whom is still living.

AMOS ANDREW PARKER.

Son of Hon. Nahum and Mary (Deeth) Parker; born, Fitzwilliam, October 8, 1791; University of Vermont, 1813; admitted, 1821; practiced, Epping, Concord, Newmarket, Exeter, Kingston, and Fitzwilliam; died, Fitzwilliam, May 12, 1893.

This was the Nestor of the bar of New Hampshire. He was a teacher some years before he began the study of the law, which he pursued under James Wilson of Keene, and Levi Chamberlain of Fitzwilliam. He began practice in Epping, and remained there till 1823, when he removed to Concord, and became the editor and proprietor of the "New Hampshire Statesman," to October, 1825. In 1826 he opened a law office in Newmarket, until 1831, and then resided for a year or two in Amesbury, Massachusetts. Exeter became his next place of residence, in 1833, and while there he made a tour to "the West and Texas," an account of which, after his return, at the suggestion of Jotham Lawrence, he prepared for publication under the foregoing title. It was well received, and ran through two editions in 1836. From Exeter Mr. Parker went to Kingston, and in 1836 returned to practice in Fitzwilliam. There he continued to attend to his business in a quiet and satisfactory way till after he had passed the allotted age of man. His life was prolonged considerably beyond a century, not to a mere negative existence, for he still enjoyed health and reasonable vigor.

Mr. Parker had a wide and interesting experience. He was a member of the legislature for thirteen sessions, and for eight years a trustee of the State Asylum for the Insane. Ten years

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he was moderator of Fitzwilliam, and other years he served his townsmen in various offices. In 1825 and 1826 he was a colonel on the staff of Governor David L. Morril, and as such escorted the Marquis de Lafayette, then the guest of the nation, from the line to the capital of the State. More than half a century afterwards, he published in a small volume an interesting account of his experience and conversations with the distinguished Frenchman. Mr. Parker had much literary facility, and was the author of one or two volumes of metrical compositions. He lived to be the oldest lawyer in the State, and the oldest college graduate in the country, and was highly respected for his useful and estimable character.

He was three times married; first, in 1822, to Miranda W., daughter of Rev. Daniel C. Saunders, the first president of the University of Vermont; second, in 1828, to Mary, daughter of General Michael McClary of Epsom; and third, in 1879, to Julia E. Smith of Glastonbury, Connecticut, who became known some years ago, with her sisters, as women suffragists, and resisted taxation without representation. She is said to have translated the Bible from the original Greek and Hebrew.

By his first marriage he had three children; by his second, four.

EDMUND PARKER.

Son of Hon. Abel and Edith (Jewett) Parker; born, Jaffrey, February 7, 1783; Dartmouth College, 1803; admitted, 1807; practiced, Amherst; died, Claremont, September 8, 1856.

Mr. Parker read law, first with Samuel Dakin of his native town, and finally with David Everett of Amherst, to whose business he succeeded. He was several years moderator of the town meetings, and was chosen representative to the state legislature eleven years, beginning with 1813 and ending with 1826. In 1824 he was elected Speaker, near the close of the fall session, to take the place of Andrew Pierce, who resigned.

In 1825 he was appointed solicitor of the county of Hillsborough, and continued in office till 1829, when he was given the commission of Judge of Probate, which he held till the latter part of the year 1835.

He stood high at the bar. He was not eloquent, but was a fair

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advocate before the jury, and always had his cases well prepared. His office practice was respectable; he was scrupulous in the amount of his fees; he was not ambitious for business, but tenacious of what he got.

In 1836 he removed from Amherst to accept the place of agent of the Jackson Manufacturing Company at Nashua. Here too he was elected representative in the legislature for four or five years between 1849 and 1854, and as a delegate to the constitutional convention of 1850. He was also for a time president of the Nashua and Lowell railroad corporation.

Judge Parker married, first, Susan, daughter of Joseph Cutter of Jaffrey, in 1812. By her he had three children, two of whom were living at his decease. His second wife was Mrs. Sarah (Leland) Boynton, daughter of Hon. Joseph Leland of Saco, Maine.

EDWARD PINKERTON PARKER.

Son of Rev. Edward L. and Mehitabel (Kimball) Parker; born, Londonderry, now Derry, April 18, 1816; Dartmouth College, 1836; practiced, Derry and Merrimac; died, Concord, Massachusetts, April 8, 1878.

Mr. Parker was prepared for college at the Pinkerton Academy in Derry, and, after teaching in the same from 1836 to 1838, he pursued his legal studies two years in the office of Thornton Betton in Derry and one year with Gilman Parker at Haverhill, Massachusetts. He opened an office in Derry in 1839, and practiced law about four years; then assumed the principalship of the Adams Female Academy in the same town until 1847. In the latter year he removed to Merrimac, to resume his profession in the office just vacated by his kinsman, James U. Parker. After six years of practice he entered into the business of manufacturing furniture, which he found more lucrative than the law.

In 1862 and the two following years he represented Merrimac in the state legislature. He subsequently removed to Concord in Massachusetts. Mr. Parker possessed good mental parts, but was somewhat self-distrustful, and not adapted to set on foot a law practice in a country neighborhood.

In 1851 he edited and supervised the publication of the "History of Londonderry," a work of value which his father had prepared, but left at his death somewhat incomplete.

He married, March 13, 1850, Margaret J., daughter of Isaac McGaw of Merrimac.

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ELIJAH PARKER.

Son of Stephen and Mary (Morse) Parker ; born, New Ipswich, August 5, 1776 ; Dartmouth College, 1806 ; practiced, Keene ; died there, August 6, 1858.

Mr. Parker's father was an officer of the Revolution, and lost a great part of his property by the depreciation of the continental paper money. His large family of children were brought up to hard work upon the farm. Elijah, being ambitious to obtain an education, succeeded by his own efforts in accomplishing his college course. He studied law with George B. Upham of Claremont and Foster Alexander of Keene, and established himself in the latter place.

His professional life of almost half a century was marked by diligent and useful service. He had a pretty large office business, and attended to collections and the settlement of estates, and seldom or never argued causes in the courts. He has been described as "a useful and influential citizen, deeply interested in the cause of education, one of the earliest champions of the temperance movement, first president of the Cheshire County Anti-Slavery Society, and always on the side of all that he thought would be for the benefit of others."

Mr. Parker, in 1814, took to wife Sally, daughter of Rev. Aaron Hall of Keene. He left five children, one of whom, Horatio G. Parker of Boston, Massachusetts, follows the profession of his father.

FREDERICK PARKER.

Son of Thomas and Margaret (Aiken) Parker ; born, Bedford, October 3, 1799 ; Dartmouth College, 1828 ; practiced, Londonderry ; died, Bangor, Maine, May 19, 1834.

Mr. Parker read for the bar, and was announced in 1832 and 1833 as a practitioner of the law in Londonderry. It is questionable, however, whether he actually engaged to any extent in legal business. In the "Alumni of Dartmouth College" he is described as a teacher. From Londonderry he went to Bangor, Maine, and spent the brief remainder of his life there.

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JAMES PARKER.

Son of Matthew Parker; born, Litchfield, 1774; admitted, 1801; practiced, Litchfield and Bedford; died, Bedford, March 26, 1822.

This was a grandson of the Rev. Thomas Parker, the first minister of Dracut, Massachusetts. Of his early education nothing has been learned. He studied law with Clifton Clagett in his native town, and probably remained in Litchfield until 1805, when he settled in Piscataquog Village in Bedford. There he passed the remainder of his life in the practice of his profession. He was a member of the state Senate in 1819.

His wife was Betsey, daughter of William Parker of Bedford, and he was the father of two children.

JAMES UNDERWOOD PARKER.

Son of Deacon Matthew and Sally (Underwood) Parker; born, Litchfield, July 28, 1797; Dartmouth College, 1820; practiced, Litchfield and Merrimac; died, Manchester, March, 1871.

Mr. Parker prosecuted his law studies with James Parker of Bedford, Artemas Rogers of Henniker, and Benjamin J. Gilbert of Hanover, and opened his office in his native town, but soon after removed to Merrimac. He represented that town in the legislatures of 1844 and 1845, and was a member and president of the state Senate in 1846. He returned to Litchfield in 1847. His law practice was very considerable, he was keen and industrious, and excelled as an advocate, meeting the ablest lawyers in his section on equal terms. In connection with his brother, Hon. Nathan Parker, he established the Manchester Bank, and was its president up to the time when it was organized under the national law. He was also the first president of the Manchester and Lawrence Railroad.

He removed to New York in 1850, and from 1857 to 1859 was a resident of New Jersey. In the latter year he returned to New Hampshire and settled in Manchester, but never did much legal business afterwards. He had a good deal of aptitude for the management of affairs outside of his profession, and in company with a friend entered into some speculations while in New York, but they resulted unfortunately for him. As a lawyer he was

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bright, ready, and highly successful, and had he devoted himself to his calling alone, would have taken his place among the very best in the State.

His first wife was Mary Hawkins of Hanover, whom he married, February 25, 1829. After her decease he was united, in January, 1835, to Rebecca J., daughter of Deacon Augustus Lund of Merrimac, by whom he had several children.

JOHN PARKER.

Son of William and Nabby (Parker) Parker; born, Bedford, May 7, 1803; practiced, Pembroke, Hooksett, and Bedford; died, Bedford.

This gentleman, after having read law with Jonas B. Bowman of Bedford, opened an office in Pembroke as an attorney in 1832; removed the next year to Hooksett, and soon after returned to his native town, where he was announced as a lawyer from 1838 to 1840. In the "History of Bedford," issued in 1850, though he was then living in the town, he was not mentioned among the legal practitioners. It is presumed that he abandoned the profession.

He married, in 1832, Eliza, daughter of Theodore Goffe of Bedford.

NATHANIEL PARKER.

Son of Hon. William and Elizabeth (Fogg) Parker; born, East Kingston, October 22, 1760; practiced, Exeter; died there, April 2, 1812.

Mr. Parker's father settled in Exeter soon after the birth of this son, who was educated in the schools of that town. Young Parker studied in the office of his father, and was in practice in Exeter before 1790. He was a man of respectable talents and acquirements, but was probably employed more in the clerical duties of his profession than in the active conduct of suits. He possessed good, though probably not extraordinary talents, and was chosen clerk of the state Senate from 1803 to 1805, and representative in the legislature from 1805 to 1809 inclusive; and after having been deputy Secretary of State for some years, was elected Secretary in 1809.

He married, in November, 1793, Catharine, daughter of Dr. Joseph Tilton of Exeter, but left no descendants.

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SAMUEL HANDY PARKER.

Son of Samuel and Ruthy F. (Brewster) Parker; born, Portsmouth, July 29, 1818; admitted, 1842 (?); practiced, Dover; died, San Francisco, California, March 13, 1866.

Mr. Parker obtained his early education in the schools of South Berwick and Saco, Maine, and of Somersworth, where his mother at one time resided. His legal studies he pursued in the office of John P. Hale of Dover, and was admitted to the bar in Strafford County. He entered into practice in Dover, and remained there not far from ten years. His amiable disposition and genial manners rendered him popular, and he had a fair share of the business that usually falls to the junior practitioners. About the time of his stay in Dover, Odd-Fellowship was introduced into the State, and Mr. Parker became deeply interested in it, and served in several of the higher offices of the Grand Lodge.

In 1852 he emigrated to California. Establishing himself in San Francisco, for some years he devoted himself to the law with success. His zeal in behalf of Odd-Fellowship introduced him to a wide circle, and he speedily became a grand officer there. He was the projector and founder of the Odd Fellows' Library Association of San Francisco, which acquired one of the largest and most valuable collections of books in California, and was of extensive usefulness. After representing the county of San Francisco in the Senate of California for a year, Mr. Parker was in 1861 appointed postmaster of the city, and administered the office two or three years, when he relinquished it to accept the position of president of the Fireman's Fund Insurance Company. That post he held to the day of his decease.

He was one of the most popular men there, and his obsequies were observed with every mark of sorrow and respect, such as had never been known in the State before. Business was suspended, and the various bodies of the order to which he was devoted attended his funeral with all their insignia and in great numbers.

He died unmarried.

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WILLIAM PARKER.

Son of Hon. William and Elizabeth (Grafton) Parker ; born, Portsmouth, 1731 ; Harvard College, 1751 ; died, Exeter, June 5, 1813.

Mr. Parker was educated in the schools of Portsmouth, and was prepared for his profession under the direction of his father, afterwards a distinguished Judge of the Superior Court ; he was admitted to practice as early as 1755, and established himself in Exeter.

In 1754 he was keeping a school in Kensington. Notwithstanding his magisterial training, he appears never to have overcome his natural reluctance to open his lips in public. It is alleged that he never argued a cause, and seldom even made a motion in court, during the whole time that he was at the bar. But he was a lawyer of excellent capacity and respectable learning, with a good business as an attorney and a magistrate, and, withal, had a ready, sarcastic wit, which appears to have served him everywhere except in open court.

When the revolutionary movement in the State took shape, in January, 1776, Mr. Parker's father had held the office of register of Probate for nearly forty years. It was then conferred upon his son, the subject of this sketch, whose tenure of the office lasted until his decease in 1813, when he was in turn succeeded by *his* son, John J. Parker, who performed the duties through his life, which ended in October, 1831.

Mr. Parker received also the appointment of Judge of the Court of Common Pleas for Rockingham County, January 1, 1790, and held it till his resignation in 1807.

He was prompt and faithful in the discharge of all his official duties, and "upright, honest, and of unbending integrity." His judgment was sound, and he had improved his native powers by reading and study. He never became wealthy, nor did he desire to be so ; he earned much money and lived comfortably, without pressing those who were his debtors.

Judge Parker married a daughter of Rev. Jeremiah Fogg of Kensington, and had six children, four sons and two daughters. One of his sons, Nathaniel, pursued the profession of his father.

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ROBERT PARKER PARROTT.

Son of Hon. John F. Parrott ; born, Lee, October 5, 1804 ; West Point Military Academy, 1824 ; admitted, 1830 ; practiced, Portsmouth ; died, Cold Spring, New York, December 24, 1877.

Mr. Parrott, on quitting West Point, received an appointment in the artillery. After twelve years' army service, in which he reached the rank of captain, he resigned his commission and returned to civil life. For some years he was superintendent of the West Point Iron and Cannon Foundry, and became the inventor of the well-known "Parrott gun" and projectiles, the fruit of long study and patient experiment.

While in the army he acquainted himself with the principles of the law, and was admitted an attorney in New York, and was received as a member of the bar here in 1830, being then an officer of the garrison in Portsmouth. His practice in this State was probably very trifling.

He became the first Judge of the Court of Common Pleas in Putnam County, New York, 1844 to 1847.

DANIEL JACOB PARSONS.

Son of Josiah and Sarah (Badger) Parsons ; born, Gilmanton, April 15, 1821 ; admitted, 1842 ; practiced, Rochester ; died, Suncook, February 24, 1893.

Mr. Parsons, having completed his preliminary course of instruction at the Gilmanton Academy, and his legal course with Ira A. Eastman of Gilmanton, settled in Rochester in 1843. He remained there in practice forty-four years, until he was disabled by an attack of paralysis in 1887. He was many years a member of the school board, and a representative in the General Court in 1850. A man of amiable character and respectable standing, his life presented few incidents for the biographer.

His wife was Ella Greenwood of Rochester. They were married in 1852.

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EDWARD PARSONS.

Son of Rev. Joseph Parsons ; born, Bradford, Massachusetts, 1747 ; Harvard College, 1765 ; practiced, Newmarket ; died, while serving in the Revolutionary army, 1776.

Mr. Parsons was an attorney in Newmarket as early as 1773, and, it is believed, practiced also in Berwick, Maine, perhaps before that date. He was a delegate from Newmarket in the fourth provincial Congress in 1775, and had the honor of serving upon the committee who drafted the memorable letter to the Continental Congress which is declared by Richard Frothingham, in his "Rise of the Republic of the United States," to contain the earliest suggestion on the subject of independence, by an organized body, that he had met with.

Mr. Parsons was commissioned adjutant of the Continental regiment of Colonel Enoch Poor, probably in the early part of 1776, and died of smallpox in the same year, while in the service.

MOSES PARSONS.

Son of Rev. Moses Parsons ; born, Newbury, Massachusetts, May 13, 1744 ; Harvard College, 1765 ; practiced, Amherst, Newmarket, and Durham ; died, Haverhill, Massachusetts, 1801.

Mr. Parsons was a student at law in the office of John Sullivan of Durham. He is said to have settled in Newmarket for a time, and afterwards in Durham. In 1773 he went to Amherst, and stayed there two years. He was a delegate from that place to the third and fourth provincial Congresses, which assembled in 1775. He acted on various committees, some of them of much importance. He is reported to have been of Kingston in 1775, and of Newmarket in 1778. In 1779 Moses Parsons, presumably the same, was a member of the Fire Society of Haverhill, Massachusetts, and appears to have been practicing there as an attorney of the Supreme Judicial Court in 1787. He was evidently something of a bird of passage.

While in New Hampshire he was apparently intrusted with no inconsiderable share of business. The files of the courts show a respectable proportion of the writs bearing his indorsement. He

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was a man of education, and certainly did not lack mother-wit. When he was once about to return to Durham from a visit to his father, the latter gave him some seasonable religious advice. "That reminds me," replied the son, rather irreverently, "of my mortality. I have one request to make: If I die at Durham, don't bury me there." His father answered that it was of little consequence where the body was deposited, if the soul was properly fitted for the other world. "True," responded his son, "but the people of Durham are so uncivilized and quarrelsome that I should be ashamed to be seen rising in their company at the last day."

Mr. Parsons's wife was Sarah Davenport, and they had one child, a daughter.

WILLIAM COLCORD PATTEN.

Son of Colcord and Maria (Fletcher) Patten; born, Kingston, c. 1820; practiced, Kingston; died there, January 5, 1873.

Mr. Patten received his education at the academy in Kingston, and learned, and for fifteen years carried on, the trade of a wheelwright. He was popular and ambitious, and, receiving the commission of justice of the peace, and having much facility in the drawing of deeds and contracts, he became the magistrate and practically the conveyancer of his town. The statute of the State allowed him easy access to the courts as an attorney, and he subsequently applied himself to the study of the law, so that he was admitted to the bar.

He was a representative in the legislature from 1855 to 1858, and in 1872; a state senator in 1861 and 1862, and a member of the Executive Council in 1867 and 1868. In 1871 Dartmouth College gave him the honorary degree of A. M. He was a fluent, ready man, with much executive force, and made the utmost of his powers and his position.

His first wife was Laura Prescott of Kingston; his second was Sarah Wier of Kensington. He had no children.

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WILLIAM ROBIE PATTEN.

Son of Deacon Francis and Rebecca (Knight) Patten; born, Candia, August 30, 1837; Dartmouth College, 1861; admitted, 1867; practiced, Manchester; died, Concord, May 5, 1886.

Mr. Patten was fitted for college at the academies in Thetford, Vermont, and in Pembroke; and, after his graduation from college was employed for a year in teaching in Chester. He then entered the military service as captain of Company I in the Eleventh New Hampshire Volunteers, and served with credit, retiring in April, 1864. He studied law in the office of David Cross in Manchester, and afterwards established himself in practice in that city. He was quite successful as a lawyer, and showed much readiness and power as an advocate and as a political speaker. In 1866 and 1867 he was assistant clerk, and the two following years clerk, of the New Hampshire House of Representatives; in 1870 and 1871 assistant assessor of internal revenue; from 1879 to 1883 city solicitor, and a prominent representative in the legislature.

Captain Patten took great interest in the organization of the Grand Army of the Republic, and served for some years as one of its officers.

More than a year before his decease he was seized with symptoms of mental aberration, having its origin, probably, in his experiences in the army, and it was found necessary to seclude him in the Asylum for the Insane at Concord. There he remained until his death.

ISAAC PATTERSON.

Son of Captain Isaac and Elizabeth (Wadsworth) Patterson; born, Piermont, January 28, 1792; Dartmouth College, 1812; practiced Lyme and Bath; died, Piermont, January 14, 1882.

To Mr. Patterson the writer of these sketches is indebted for much information respecting the earlier members of the bar in the northern counties. Notwithstanding the weight of nearly ninety years, the little old gentleman was alert and lively, his memory unimpaired, and his sense of humor as keen as it was in his palmiest days. He struck off men's peculiarities in phrases

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that cling to the memory, they were so odd and so suggestive. One lawyer he described as "a feeble brother;" another, who prided himself on the number of actions he entered in court, he said "would sue his grandmother, to add to the list;" and of a third, whose wits were apt to go wool-gathering, he said "he would walk right over a cow, if she happened to be in his way!"

In the little that he said about himself, it appeared that he had thought of reading law in the city of New York, and made application at the office of the celebrated Aaron Burr, whom he described as appearing like "a little old Frenchman, very polite," and at that of Thomas Addis Emmett; but at length concluded to study with John Russell of Troy, New York, and Joseph Bell of Haverhill. Mr. Emmett's custom was to require from each student a tuition fee of two hundred and fifty dollars; and Mr. Bell's the same.

In 1817 Mr. Patterson established himself in practice at Lyme, but removed in less than two years to Bath, where he formed a copartnership in business with Moses P. Payson, for a year. As Mr. Patterson expressed it, "Payson had got tired of practicing; I did the work and we divided the profits." He was not distinguished as an advocate, and made no great figure in the courts; he was a quiet, industrious, faithful practitioner, confining his labors mostly to office business. He held many town offices; for ten years he was a member of the board of selectmen; in 1831, 1833, and 1834 he was a representative in the legislature; and from 1849 he was the town clerk for a continuous period of about thirty years.

This last office he was peculiarly well fitted for by his legal knowledge, his habits of accuracy, and his neat and elegant handwriting. On one occasion, a brother lawyer, being about to be married, called on town clerk Patterson for the usual certificate of publication, which was duly furnished, executed in his customary style of exactness and calligraphy. Upon the return of the newly wedded from his bridal trip, Mr. Patterson met him, and, perhaps in the expectation of receiving a compliment for his unimpeachable handiwork, inquired if the certificate of publication was found all right. "Oh, yes," replied the benedict. "Was Mr. ——," pursued Patterson (naming a well-known legal martinet), "at the wedding?" "No, he was out of town." "That was lucky," returned the veteran; "for if *he* had been there he

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might have taken exceptions to the certificate, and carried it up to the Superior Court!"

Mr. Patterson continued to live in Bath for almost sixty years. From his long experience as an officer of the town he became thoroughly familiar with all its affairs, and was looked up to as an authority therein. His standing in his profession was deservedly high; he was a well-read, accurate lawyer, of entire integrity and sound judgment. He was one of the examining committee of the bar of his county; and his genial humor and extraordinary memory and power of imitation made him an interesting and agreeable companion.

He died among his kindred in Piermont, in the house where he first saw the light.

ELISHA PAYNE.

Son of Elisha Payne; born, Canterbury, Connecticut, February, 1731; practiced, Cardigan (now Orange) and Lebanon; died, Lebanon, July 20, 1807.

The father of Mr. Payne was a lawyer by profession, who became a preacher in later life, gave his son a careful education, and took the direction of his legal studies. The son practiced in Canterbury, in Plainfield, Connecticut, and represented the latter place in the legislature. He came to New Hampshire as one of the five original settlers of Cardigan, now Orange, and in August, 1775, was commissioned a lieutenant-colonel in the militia. In January, 1776, he was chosen an assistant Justice of the Court of Common Pleas, and register of Probate for Grafton County.

When the "Vermont Controversy" was pending in 1778, he was chosen a representative in the legislature of that State; and in 1781 he was again elected to the same position from Lebanon, of which he had in 1780 become a resident. He was commissioned Chief Justice, and appointed lieutenant-governor of Vermont, and major-general of her militia. But the New Hampshire towns that adhered to Vermont were on each occasion "left out in the cold" after a brief welcome, and his honors were but short-lived.

His temporary allegiance to Vermont appears, however, not to have alienated his friends in New Hampshire. In 1786 and 1787 he held a seat in the state Senate, and in 1788 he was a delegate

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to the convention to pass upon the Federal Constitution. In 1791 he was a member of the constitutional convention of the State. He was also a representative of Lebanon in the legislatures of 1784, 1785, 1790, 1793, 1796, 1797, and 1800.

He was a man of many employments, among which the practice of his profession took, probably, but a small part of his time, especially after the admission of his son to practice. Dartmouth College gave him the honorary degree of A. M. in 1779.

He was married at the age of twenty-two to Anna Waldo, in Connecticut. She died in 1760, leaving three daughters, and he took for his second wife Elizabeth Spaulding of Plainfield in the same State. The elder of her two sons was a lawyer.

ELISHA PAYNE, JR.

Son of Colonel Elisha and Elizabeth (Spaulding) Payne ; born, Plainfield, Connecticut, March 24, 1763 ; Dartmouth College, 1784 ; practiced, Lebanon ; died there, May 20, 1808.

Little is known of the history of this son and namesake of an educated lawyer, and a stirring man of affairs. He was graduated from Dartmouth College in 1784, and studied the law, probably under his father's direction, establishing himself in Lebanon, his father's home. He is said also to have been a teacher at Shelter Island, New York, but when, and for how long, has not been ascertained. From ill health he did not practice his profession to any great extent, but is said to have been a man of character and ability.

His wife was Lydia Collins of Mansfield, Connecticut.

MOSES PAUL PAYSON.

Son of Moses Paul and Deborah (Gage) Payson ; born, Rowley, Massachusetts, December 9, 1770 ; Dartmouth College, 1793 ; died, Bath, October 30, 1828.

Mr. Payson studied his profession in the office of Alden Sprague of Haverhill, and, after being admitted to the bar, proceeded to the district of Maine, with a view of settling in practice there. But in 1798 he came to Bath, and there fixed his abode. His only property at that time consisted of his horse, a few law books, his professional sign, and one dollar in money. The

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money he offered to the blacksmith who shod his horse, but the smith declined to take it.

The young lawyer had what was better than much money, — an astonishing aptitude for the acquisition of property, not only from his profession, but by agriculture and by dealing in merchandise of every description. Mr. Patterson, his townsman, said he seemed to possess the power of Fortunatus, — purchased farms, kept stock, loaned money, dealt in produce, and there was scarcely anything that came amiss to him in the way of trade. At the same time he was acquiring money by attention and diligence in his profession.

The elder Judge Jeremiah Smith said of Mr. Payson that "he was the most ready man in the Grafton bar. No sooner was an action called in a contested case in which he was engaged, than he was on his feet reading his writ to the jury." He acquired a large and successful practice, and possessed a sufficient share of the learning of his profession, though he was not reckoned as a specially erudite or studious lawyer.

He was an excellent citizen, and had many qualities to win popularity. His character was unimpeachable, he was polite and affable to all, and an entertaining companion. His fellow-citizens sent him repeatedly as representative to the legislature, and also as state senator for eight years, the last three of which he was chosen president of the Senate. He was moderator of the annual meetings of the town for nearly twenty years; was often in the Speaker's chair while a representative; and distinguished himself especially as president of a convention held at Windsor, Vermont, in 1825, to devise improved facilities for marketing the produce of the country. Here, in a body without rules or regulations, his readiness and tact, his knowledge of human nature, and his power of control had an unequaled field for their exercise, and were long remembered by those present.

Mr. Payson is described as a perfect model of a gentleman, and as having in his air something which inspired awe, and imposed a certain degree of restraint on others in his presence. Esteemed and honored, he employed his time in the later years of his life in looking after his farming and his stock, and in managing the affairs of the Grafton Bank, of which he was the president. He made also some writs for the collection of debts, and assisted in preparing a few causes for trial. In his family relations he was

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peculiarly happy, though sickness often visited his fine dwelling; and his hospitality, especially towards the clergy, was such that his house went by the name of "the ministers' tavern."

Mr. Payson married Hannah Perley of Haverhill, Massachusetts, and left several children. His only son, bearing his name, studied his father's profession, and one of his daughters became the wife of Jonathan Smith, a lawyer of Bath.

MOSES PAUL PAYSON, JR.

Son of Moses P. and Hannah (Perley) Payson; born, Bath, 1807; Dartmouth College, 1829; admitted, 1832; practiced, Bath; died, New York city, March 9, 1854.

Mr. Payson the younger served his apprenticeship to the law in the office of Joseph Bell of Haverhill, and commenced practice in Bath in 1832. He was by no means without abilities, but he lacked application and economy, and after remaining about five years in Bath he went to New York city, and for a time obtained some employment in the criminal courts there. At one period of his life he was practicing in Boston, Massachusetts, at another he spent several years in New Orleans, Louisiana. He had inherited from his father a handsome property for that time, but at length dissipated it, and fell into habits of intemperance, which led to consumption.

OLIVER PEABODY.

Son of Oliver and Sarah (Robinson) Peabody; born, Andover, Massachusetts, September 2, 1753; Harvard College, 1773; practiced, Exeter; died there, August 3, 1831.

Oliver Peabody was the first student at law of the distinguished Theophilus Parsons, who set up practice at Newburyport, Massachusetts, in 1777. After Mr. Peabody's admission to the bar, he spent a short time in Boston, Massachusetts, as an assistant to the clerk of one of the courts, and then established himself in Exeter.

He had all the requisites of success. His native powers of mind were of a high order, and conscientiously cultivated. Although he never was distinguished as a specially learned lawyer yet he was well skilled in his profession, and was punctual and faithful in his practice. Business was not lacking, and political

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preferment was always at his command. In 1789 he was chosen treasurer of the county, and annually rechosen for a number of years. In 1790 he was made a state senator, but resigned his seat to accept the appointment of Judge of Probate for the county. After holding that place three years, he was again sent to the state Senate in 1793 and 1794, and the latter year was elected president of that body. He resigned his seat a second time on being appointed treasurer of the State, which he continued to be until 1804. The next year he was confirmed sheriff of the county, and served out his term of five years. The state Senate was always to him a stepping-stone to something more desirable, for on being again chosen to it in 1813, he received the commission of Judge of the Court of Common Pleas, but in 1816 he quitted the bench, upon the reorganization of the courts. In addition to all these official appointments, Judge Peabody was thrice chosen a presidential elector, in 1796, 1800, and 1808. For thirty-four years he was a member of the board of trustees of Phillips Exeter Academy, twenty-two of which he was also treasurer.

He was formed for popularity. He was handsome in person, amiable and social in disposition, and the elegance of his manners was proverbial. Much as he held public office, he was not an office-seeker. But he seemed fitted by nature for such trusts, and men instinctively turned to him whenever a candidate was to be selected. He was universally esteemed and respected, and his social position was among the highest in the town in which he resided.

His wife was Frances, daughter of Hon. William Bourn of Marblehead, Massachusetts. One of his daughters was the wife of Alexander H. Everett; and the distinguished brothers, O. W. B. and W. B. O. Peabody, were his sons.

OLIVER WILLIAM BOURN PEABODY.

Son of Oliver and Frances (Bourn) Peabody; born, Exeter, July 9, 1799; Harvard College, 1816; admitted, 1822; practiced, Exeter; died, Burlington, Vermont, July 5, 1848.

Mr. Peabody finished his legal education at the law school in Cambridge, Massachusetts, receiving the degree of LL. B. in 1822. He then entered on practice in his native town. He was

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thoroughly read in his profession, and was distinguished for his acuteness and readiness in legal dialectics. But there was probably something in the rough encounters of professional practice that was repugnant to his sensitive nature. He was essentially a man of letters. His love for scholarship and his literary taste were early developed, and had been fostered by his surroundings. His commencement part at college was a poem. For some years of his stay at Exeter he edited the "Rockingham Gazette," a weekly paper, made readable largely by his contributions. He also wrote and delivered several addresses in prose and verse on public occasions, among which was the poem on the two hundredth anniversary of the settlement of New Hampshire by Europeans, — a production worthy of the important event which it commemorated.

In Exeter he was annually chosen a representative in the legislature, from 1823 to 1830 inclusive. In the latter year he removed to Boston, Massachusetts. He gave assistance to his brother-in-law, Alexander H. Everett, in the management of the "North American Review," and for some time took the editorial charge of the Boston "Daily Advertiser." He was chosen a representative to the General Court in 1835, and in 1836 he received the appointment of register of Probate. The duties of the office he diversified with various literary employments. In the hope of restoring his failing health in a milder climate, he accepted the chair of English literature in Jefferson College, Louisiana, in 1842. In a little time he returned to Boston, and there, and at Springfield, Massachusetts, where his brother was settled in the ministry, he studied theology, and in 1844 was licensed by the Unitarian Association to preach. The next year he was installed over a congregation in Burlington, Vermont, where he remained, beloved and respected, to the close of his life.

Mr. Peabody possessed an amiable, though retiring disposition, and courteous manners, joined to first-rate abilities conscientiously cultivated. His sense of humor was keen, and he was a most entertaining converser in congenial society. His scholarship was elegant and accurate, and he was master of a pure and cultivated style of writing. His fastidious taste did not permit him to publish anything which was not finished with the utmost care. He supervised an edition of Shakespeare in 1844, and furnished the lives of Putnam and Sullivan for Sparks's series of American

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Biography, besides contributing largely to many of the best periodical publications. His last literary work was a biography of his brother William, — a true labor of love, which he did not live to fully conclude.

He never married.

SAMUEL PEABODY.

Son of Richard and Jemima (Spofford) Peabody; born, Boxford, Massachusetts, January 3, 1775; Dartmouth College, 1803; admitted, 1810; practiced, Wolfeborough, Sandwich, Epsom, and Tamworth; died, Andover, Massachusetts, October 17, 1859.

It was the original design of Mr. Peabody to enter the ministry, and to that end he pursued awhile the study of theology. But he afterwards changed his purpose and resolved to qualify himself for the legal profession. He studied law in the offices of David Everett in Amherst, of Sylvanus Backus in Pomfret, Connecticut, and of Oliver Crosby of Dover.

He first opened an office in Wolfeborough, but after a stay there of between one and two years, settled in Sandwich, where he remained about ten years. He appears to have possessed the fortunate gift of making a country practice yield him a support for his numerous family, and a substantial surplus besides. In 1823 he exchanged his house and business stand for those of Jonathan Steele in Epsom, and went to the latter place to live; but after remaining a couple of years he again changed his home to Tamworth, and settled down there upon a farm, still, however, keeping up his professional practice. Here he continued till 1842, at which date he removed to Andover, Massachusetts, attracted by the excellent schools for his children, and there spent the residue of his days.

He was the author of an address delivered before the Washington Benevolent Society in Tamworth, and published in 1814. A specimen of his caustic wit is preserved by Hon. John Kelly. For some reason Mr. Peabody held a very poor opinion of the legislature of 1823. "The only difference," said he, "between the occupants of the two stone houses in Concord (the state prison and the capitol) is this, that the former have had their trials, and the latter have not!"

He is mentioned in the Peabody Genealogy as "a gentle-

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man of the highest moral and social qualities, and much general culture and professional attainment."

In 1813 he was married to Abigail, daughter of Jonathan Wood of Boxford, Massachusetts, and by her was the father of ten children, the eldest of whom, Charles A. Peabody, has been a Judge of the Supreme Court of New York, and Chief Justice of Louisiana.

STEPHEN PEABODY.

Son of William and Abigail (Wilkins) Peabody; born, Milford, October 4, 1782; Harvard College, 1803; admitted, 1811; practiced, Exeter, Portsmouth, Milford, and Amherst; died, Amherst, January 19, 1847.

Immediately after his graduation Mr. Peabody entered his name as a student with David Everett of Amherst. In the spring of 1804 he removed to Boston, Massachusetts, and studied in the office of John Phillips for two years. Then for the restoration of his health, which had suffered, he visited South America and traveled in Europe nearly two years, after which he returned to Milford and completed his law studies with Solomon K. Livermore. The first three years of his professional life he passed in practice partly in Exeter and partly in Portsmouth. Thence he returned to his native town, and there, in addition to his law business, devoted himself considerably to agriculture.

He represented Milford in the General Court in 1825 and 1827, and was chosen councilor four years, from 1830 to 1833 inclusive. In 1837 he received the appointment of register of Probate for Hillsborough County, and removed to Amherst, the county-seat, where he continued to reside during the remainder of his life, though he is said never to have resumed the practice of his profession there.

From this brief résumé of his employments, it appears that but few years were devoted strictly to the law, perhaps from his having no special liking for it. The brief biographical notice in the Peabody Genealogy contains the statement that he "left an unsullied reputation as a lawyer, and as a citizen he was much lamented."

He married, in 1824, Jerusha P., daughter of Rev. Matthew Bolles of Milford, and left four children, the eldest of whom, Francis B. Peabody, now of Chicago, Illinois, studied the profession of his father, and for a time practiced in Concord.

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SAMUEL ATKINSON PEARSON.

Son of Captain Joseph and Hannah (Atkinson) Pearson; born, Haverhill, 1784; Dartmouth College, 1803; practiced, Lancaster; died there, September 2, 1840.

This gentleman served his apprenticeship to the law under Alden Sprague of Haverhill for one year, and the two remaining years with Jeremiah Mason of Portsmouth. He settled in practice at Lancaster in 1807. The business of collecting demands was at that time an enormous one, and Mr. Pearson obtained a full share of it. He had comparatively little business on the contested docket of the courts, however, and did not figure in jury trials, unless sometimes as junior counsel.

He was a large man, of striking presence, who could not fail to attract attention anywhere; and in the heyday of his prosperity he exercised a liberal hospitality in his spacious dwelling. He was postmaster twenty years, and deservedly popular. In later life the business which had been so productive fell off and left him in reduced circumstances.

He was married in May or June, 1816, to Ann, daughter of Benjamin Boardman.

THOMAS PEARSON.

Son of Thomas and Esther (Wright) Pearson; born, Tyngsborough, Massachusetts, December 25, 1820; admitted, 1843; practiced, Nashua; died there, 1891.

This gentleman received his education at the Nashua Literary Institute and the academy at Hancock; attended the Harvard Law School in 1840 and 1841, and studied in the office of Daniel Abbott and Charles J. Fox in Nashua. In that town he practiced five years, and two years in Methuen, Massachusetts. He was also the Judge of the Police Court in the city of Nashua, from 1855 to 1861. In 1846 he adopted the profession of a civil engineer, and for a number of years this was his chief employment. He said of himself, "I have made more preliminary surveys of railroads than any other engineer in New Hampshire, and pride myself that it was well done, and in every case a good line found."

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He held a clerkship in the pension office in Washington, District of Columbia, from 1861 to 1865, the last two years as the chief clerk. In 1866 he was the special agent of that office in New Mexico on fraudulent claims.

From Nashua he was representative in the legislature of 1852, and was at various times moderator, selectman, assessor, inspector of check-list of his city ward, and trustee of the State Reform School.

The social qualities of Judge Pearson made him a universal favorite. His eye was quick to discern everything that was quaint and humorous, and his skill as a *raconteur* enabled him to paint his stories with the liveliest colors. He was a man to "set the table in a roar" and promote hilarity anywhere.

He was married, first, January 21, 1843, to Angeline M. Hunt of Nashua; and second, to Hannah A. Pearson of Medford, Massachusetts, February 5, 1884, and left a daughter and a son.

EDWIN PEASE.

Son of Hon. Zebulon Pease; born, Freedom, April 23, 1827; practiced, Freedom and Conway; died, Conway, August 31, 1879.

It is believed that Mr. Pease was originally admitted an attorney under the statute of 1842, and perhaps later was received as a member of the bar. He commenced practice in Freedom about 1859, and remained there near seven years, when he moved to Conway. He represented Freedom in the legislatures of 1857 and 1858, and was a state senator in 1868. It is said that his rank as a lawyer was fair, his honesty unquestioned, and that he had the general regard and good-will of those who knew him.

CHARLES HAZEN PEASLEE.

Son of William and Hannah (Folsom) Peaslee; born, Gilmanton, February 6, 1804; Dartmouth College, 1824; admitted, 1828; practiced, Concord; died, St. Paul, Minnesota, September 20, 1866.

Mr. Peaslee is said to have had an excellent mother, from whom he inherited much of his ability and his better qualities. At the academy in his native town and in college he acquired creditable scholarship, which, by study in Philadelphia and in the office of Stephen Moody of Gilmanton, he supplemented by a

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respectable knowledge of the law, but he never applied himself to his books much afterwards, except on important occasions. He settled in Concord. He was universally liked, his manners were so genial, and his disposition so amiable; and his talents were admired, especially his gift of speaking in public. He seemed to have a natural eloquence, though in special cases he prepared his speeches with much care. In the trial of *State* v. *Prescott*, which was an indictment for murder, Mr. Peaslee was the junior counsel for the prisoner, in whose behalf his feelings were strongly enlisted. The accused was a young man of such limited intelligence that the defense of insanity was very naturally set up in his behalf, though unsuccessfully. Mr. Peaslee's opening of the case was carefully studied, and it is said that he divided the honors of the trial with his senior, the eloquent Ichabod Bartlett.

He was rather adapted to a political than to a legal career. In 1833, and the three years succeeding, he was a member of the state legislature from Concord. During this period the first movement was made for the establishment of a state asylum for the insane. Mr. Peaslee became deeply interested in the subject, and traveled about the State advocating the scheme with earnestness and zeal, and is regarded as one of the principal founders of the institution. He served as a trustee from the time of its establishment until his decease.

In 1839 he was made adjutant and inspector-general of the militia of the State. In 1847 he was chosen a representative in the Congress of the United States, and was twice reëlected. He was a working member, and his speeches were far above mediocrity.

In 1853, General Pierce, on acceding to the presidency, appointed him collector of the port of Boston. After the administration was changed General Peaslee took up his residence in Portsmouth. His death occurred while he was on a visit to the West.

He was married, December 9, 1846, to Mrs. Mary A. L. Dana, daughter of Robert Harris of Portsmouth.

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GEORGE CHESLEY PEAVEY.

Son of Hudson and Hannah (Pitman) Peavey ; born, Barnstead, January 16, 1815 ; practiced, Exeter and Strafford ; died, Strafford, May 5, 1876.

At the age of twenty Mr. Peavey went to the Phillips Exeter Academy, and qualified himself to enter college in advance, but ill health compelled him to relinquish further study. Later he read law with Bell and Tuck in Exeter, but the weakness of his eyes, caused by an injury to his spine, prevented him from entering into practice for a considerable time. At length he opened an office in that town, and manifested much energy and capacity for business, in spite of his drawbacks. After some years in Exeter, he removed about 1859 to Strafford, where he attended to a large law practice, and gradually established four country stores and a considerable trade in lumber besides.

He was a bank commissioner in 1856 and 1857, and a member of the state Senate in 1869 and 1870, and received from Dartmouth College the honorary testimonial of A. M. in 1870.

Mr. Peavey was throughout his busy and successful life an invalid, a large part of the time being obliged to cover his eyes from the light with a bandage, and not infrequently compelled to preserve a reclining position, while attending to his business. He could never have accomplished the labor that fell upon him without the assistance of his devoted wife, who was eyes and hands to him, at least.

She was Sarah C., granddaughter of Judge Noah Tibbets of Rochester, and married Mr. Peavey, October 5, 1858.

GEORGE PEIRCE.

Son of Nathaniel and Ann (Jaffrey) Peirce ; born, Portsmouth, 1760 ; Dartmouth College, 1780 ; practiced, Portsmouth ; died there, May 26, 1788.

Mr. Peirce studied his profession in the office of John Pickering in Portsmouth, and was in practice there as early as 1786. It is said to have been the intention of his uncle, George Jaffrey, the last treasurer of New Hampshire under the royal government, to make him his heir, though it is to be hoped not on the absurd condition upon which he afterwards devised his estate to George Jaffrey Jeffries, — that he should never follow any profession ex-

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cept that of "being a gentleman." Mr. Pierce, however, did not survive his uncle, and died unmarried.

HAMILTON ELLIOT PERKINS.

Son of Roger E. and Esther (Blanchard) Perkins ; born, Hopkinton, November 23, 1806 ; admitted, 1832 ; practiced, Hopkinton and Concord ; died, Concord, January 6, 1886.

Mr. Perkins received his educational training at the Phillips Exeter Academy, and at the Military Academy in Norwich, Vermont. He studied his profession with Matthew Harvey of Hopkinton and Samuel Fletcher of Concord, and completed it at the Harvard Law School in 1831. He entered into practice in Hopkinton, and continued about twenty-two years. In 1849 he was appointed postmaster of Contoocook for one administration. He gave considerable attention to lumbering, and built several mills at Contoocook. Having removed, in 1853, to Concord, he received in July, 1856, the commission of Judge of Probate for Merrimac County, and held it till 1871.

Judge Perkins was a lawyer of good talents and competent professional knowledge, but with no great fancy for the drudgery of the law. He was agreeable in conversation and a genial companion. Through his long life he enjoyed good health, up to within a short time before his decease, and he passed away in the order of nature, rather than from the effects of disease.

He married, in 1833, Clara B., daughter of John George of Concord, who survived him, with their four children. One of his daughters is the wife of Judge William L. Foster of Concord.

MATTHEW PERKINS.

Son of Jonathan and Hannah (Taylor) Perkins ; born, Sanbornton, June 17, 1788 ; practiced, Sanbornton ; died, New York city, August 17, 1826.

The information obtained in regard to this gentleman is very limited. He appears to have practiced in Sanbornton Square from about 1812 to near the close of his life, when he removed to the city of New York. It has been said that he lived for a time in the county of Coos, and was quite successful there, but this has not been verified. He is described as a lawyer of decided talent, but of rather limited business while in Sanbornton. In 1813 he

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delivered an oration on the 5th of July before the Washington Benevolent Society. He was a man of handsome appearance, and filled the position of brigade inspector in the militia in 1821.

He married Jane, daughter of Wallis Little of Shirley, Massachusetts, and had two sons, one of whom survived him.

NATHANIEL GILMAN PERRY.

Son of Dr. William and Abigail (Gilman) Perry ; born, Exeter, October 28, 1826 ; Harvard College, 1846 ; admitted, 1853; practiced, Exeter ; died at sea, June 2, 1855.

Mr. Perry had his preparatory instruction at the Phillips Exeter Academy, and studied for his profession at the Harvard Law School, and in the office of Gilman Marston of Exeter. He was a representative of that town in the legislatures of 1852 and 1853. He had made arrangements to become the partner in practice of Mr. Marston, and already entered his office in pursuance thereof, when symptoms of pulmonary disease demanded his removal to a milder climate. He accepted the appointment of clerk to Commodore John C. Long, and sailed, in 1853, to the Mediterranean. His health, however, continued to fail, and after nearly two years he took passage for home, which he was destined never to reach alive.

He was unmarried.

NICHOLAS PERRYMAN.

Born, Devonshire, England, December 24, 1692 ; practiced, Exeter ; died there, August 9, 1757.

Mr. Perryman was the first educated lawyer of Exeter. He came to this country in his youth, after the death of his parents, and made his home in Exeter, where he was a teacher of the grammar school in 1716, 1717, and 1718.

Little is to be learned of his professional qualifications at this late day, but from the information accessible we may infer that he was an active man of affairs and well trusted. It was at his house in Exeter that a meeting of the proprietors of the township of Chester was held in January, 1722. His name appears upon the dockets of the Court of Common Pleas as an attorney, as early as 1730, and recurs pretty frequently for the next twenty

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years. He drew many of the conveyances of land in his vicinity, which evinced care and accuracy, and were especially noticeable for the neatness of their chirography.

Mr. Perryman was employed by the town in 1744 to defend it against the petition of certain inhabitants to the General Court for exemption from parish taxes; and in 1747 to oppose a petition for a bridge between Stratham and Newmarket, upon the ground that it would prevent the passage of fish, and impede navigation. He was the only lawyer of Exeter till near the close of his life, when his son-in-law, Noah Emery, who studied with him, succeeded him in business.

Mr. Perryman was married, in 1717, to Joanna, daughter of Stephen Dudley, and was the father of four children. His daughter Joanna, the wife of Mr. Emery, alone survived him.

IRA BROWN PERSON.

Son of Rev. Ira and Sophia J. (Ballard) Person; born, Barre, Vermont, June 14, 1817; practiced, Sutton; died, Lowell, Massachusetts, August 23, 1858.

The subject of this notice received his education at schools in Chester and Ludlow, Vermont, and at the academy at New Hampton. His profession he studied at Chester, Vermont, and in part with Edmund Burke of Newport. He was in practice in Sutton about the year 1842; after which he was in Chester, Vermont, and removed to Lowell, Massachusetts, in 1848. While in the latter place he edited the "Lowell Gazette," a Democratic paper representing the views of the anti-slavery wing of the party. His writings were said to be marked by terseness of style and clearness of logic, and he was regarded as an able and even eloquent debater. His paper was discontinued in 1849, and he afterwards settled in the city of New York. He apparently met with little success there, and gained his subsistence in part by writing visiting cards, being a fine penman. He subsequently returned to Lowell.

He married in New York, and became the father of a son, since deceased.

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THOMAS HALE PETTENGILL.

Son of Benjamin and Lydia (Sleeper) Pettengill ; born, Salisbury, November 20, 1780 ; Dartmouth College, 1804 ; admitted, 1808 ; practiced, Canaan and Salisbury ; died, Salisbury, August 8, 1856.

Mr. Pettengill studied law with John Harris of Hopkinton, established himself first in Canaan, and there did a considerable legal business. He was a good scholar and an honest, upright man, in whom the people had confidence in spite of certain eccentricities that he manifested.

He was in his earlier years something of a politician, at first joining the Federal party. The citizens of Canaan made him their representative in the legislature in 1814, and the two years succeeding ; and in 1817 he published a little volume under the title of "The Yankee Traveller, or the Adventures of Hector Wigler," a burlesque upon Jefferson and his friends ; but later in life he changed his political opinions and, being ashamed of his literary venture, endeavored, it is said, to recall it from circulation.

In 1822 he took up his residence in Salisbury, and, with the exception of two years in the newly organized town of Franklin, made his home there thenceforth. After that he devoted less of his attention to the law. He owned a small farm on the Centre Road in Salisbury and carried it on himself. He exhibited some interest in the subject of education, and was superintendent of the town schools. If, however, his knowledge is to be measured by his language on occasion of an official visit to his charge, it is perhaps fortunate that his connection with the schools was no closer. While a recitation in geography was going on, in his presence, he remarked, "Some people say the earth is round, but *I* know it is as flat as a board!" We may charitably hope that his ill health had something to do with the hallucination.

On one occasion his pluck and muscle stood him in good stead. He had written a letter to a rough fellow against whom he held a note for collection, to call at his office and pay it. The man appeared, asked to see the note, and as soon as he got it in his hands crammed it into his mouth and began to chew it up. Pettengill seized him by the throat and compelled him to disgorge the paper, and it is to be hoped made him pay smartly for his attempted rascality.

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While he lived in Canaan he was applied to by an ignoramus to certify to his qualification as a teacher. It took Pettengill not long to produce the following: "The bearer is in my opinion fully competent to teach school in any district where there are no scholars."

He was really more of a man, more of a lawyer, and more of a scholar than the foregoing details would indicate. With many oddities, he was generally respected and confided in by those who knew him. A letter of his in relation to his two early friends, Daniel and Ezekiel Webster, published in the "Correspondence of Daniel Webster," shows him to have had a practiced pen, a good memory of his classics, and an intelligent discrimination of character.

He was united in marriage to Aphia Morse of Cornish, in February, 1810. They had one son and two daughters.

THOMAS PEVERLY.

Son of Thomas Peverly; born, Northumberland, 1797; Dartmouth College, 1818; practiced, Northumberland; died there, April 18, 1829.

Joseph Bell of Haverhill directed the law studies of Mr. Peverly, who began to practice in Northumberland in 1821. In November of the succeeding year he was appointed register of Probate for Coos County. In 1827 and 1828 he was elected to the state legislature to represent Northumberland and the towns classed therewith, and is said to have taken an active part in the business proceedings of the House. His opening professional and political life was of a most promising character, but it closed suddenly by his unexpected death. He was struck down by apoplexy in his office, while attending to professional business, and never recovered consciousness.

His wife was Almira, third daughter of Richard C. Everett. They had a son and a daughter.

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GEORGE MOREY PHELPS.

Son of Samuel and Lydia (Morey) Phelps ; born, Orford, January 2, 1788 ; admitted, 1817 ; practiced, Lyme, New Chester afterwards Hill, and Bristol ; died, Hill, c. 1845.

Mr. Phelps was a law student in the office of Abiathar G. Britton in his native town, and made his first essay in practice in Lyme, about the year 1819. From that place he removed to New Chester, not far from 1827. In October, 1834, he changed his residence to Bristol, but after a short stay there returned to New Chester, which, in 1837, received the name of Hill, by legislative sanction.

In 1834, 1837, and the two succeeding years, he was a representative in the state legislature. He is described as not remarkable for his legal acquirements, but as a pretty good business man, with a fair amount of practice. It is hinted, however, that his standing was not of the highest.

His first wife was Sarah W. Fitch, who died in March, 1834. For his second he married Lydia Thurston of Boston, Massachusetts, in the May following. By one marriage he had six children, and one child by the other.

THOMAS PHIPPS.

This gentleman was probably a native of England. He was employed from 1697 to 1701 by the selectmen of Portsmouth as a schoolmaster. As early as 1704 he was a justice of the peace, and in 1709 he was the provincial high sheriff. He took the oath of an attorney in 1716, and was appointed one of a committee to "supervise the laws and collect them in a body to be printed." In 1727 he appears to have acted in court as attorney-general, — perhaps by a temporary appointment. His name appears for several years after this date as attorney for various petitioners. He was an active man of affairs, but apparently had little acquaintance with the law.

He died in Portsmouth in 1738.

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JOHN PICKERING.

Son of John Pickering ; born, Portsmouth, 1640 ; died there, May, 1721.

The subject of this sketch never had the opportunity of a regular legal education, but qualified himself so far that he was enabled to practice in the courts with success and credit. He was a leading man in the province, reflecting the ideas and feelings of the people. In 1680 he was a deputy from Portsmouth in the first assembly held after New Hampshire was erected into a separate province, and in 1684 was reëlected.

A transaction in which he was a prominent actor was strikingly characteristic of the man. Robert Tufton Mason had, during the governorship of Cranfield, brought a number of suits of ejectment against landholders, to which no defense was made, because, no authority being found for the proceedings in Cranfield's commission, the judgments were considered as *coram non judice*, and because they were tried by and before judges, sheriffs, and juries prejudiced and interested. Under these circumstances it was determined by the people that the books of records which were the primary evidence of the rendition of the judgments should not be left where they could be used to distress the inhabitants, and Pickering at the head of an armed party went to Richard Chamberlain, the late secretary of the province, and demanded the books, and when he refused to deliver them up, took them from him by force. They were then carried out of the province to Kittery in Maine ; and there, probably, the twenty-four leaves on which were extended the judgments of Mason against the landholders were cut from one of the volumes. Two years afterwards, when a new government was established by the crown for New Hampshire, Pickering was summoned before Lieutenant-Governor Usher, and the books were demanded of him, under threats of imprisonment. He at length was constrained to give them up, and they were delivered over to the new secretary, Henry Penny.

Pickering's zeal in the people's cause did him no injury in the popular estimation. In 1690 he was chosen a member from Portsmouth of the Assembly of Massachusetts, and sat therein till December, 1691 ; and in 1692 he was elected to the same position in the Assembly of New Hampshire, and was retained there by

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succeeding elections most, if not all of the time, until 1709. Several of those years he was Speaker of the House, and at all times was one of the foremost members. In February, 1696–97, the president and council of New Hampshire, by a singular coincidence, appointed Pickering to take possession of the identical books of records which he had himself illegally seized and put in concealment seven or eight years previously.

There is no doubt that Pickering fully merited the description given of him by our historian Belknap, — "a man of a rough and adventurous spirit." In 1706, when he had reached an age which ordinarily cools the blood, in an action in the Superior Court, he got into an altercation with the judges about his right to the possession of a paper, which they forbade him to take. But the doughty captain paid small heed to their commands, and pocketed the document in dispute, and marched off with it. "On which contemptuous carriage," the Court very properly forbade "his future pleading as an attorney in this court." But before the next term the good sense of the disbarred attorney showed him the folly of his conduct, and "having beg'd pardon and humbled himself, the Court admit him again to plead."

Mr. Pickering was appointed king's attorney in 1697; in 1702 he received a commission as attorney-general, and he was acting as such in August, 1715. The most important suit in which he was employed was that of *Allen* v. *Waldron*, tried in 1707. It was a leading case, involving substantially the title to all the soil of New Hampshire.

Mr. Pickering's wife was Mary, daughter of Anthony Stanyan of Hampton, whom he married January 10, 1665–66. They had five children, of whom some were married and left issue; but only one was living at the time of her father's death, — Mary, the wife of John Plaisted.

WILLIAM PICKERING.

Son of William and Abigail (Fabyan) Pickering; born, Greenland, 1778; Harvard College, 1797; practiced, Greenland and Concord; died, Greenland, July 1, 1850.

Mr. Pickering was a student in the Phillips Exeter Academy, and read law with William K. Atkinson at Dover. He was private secretary to Governor John Langdon awhile, and afterwards

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deputy Secretary of State. In the year 1816 he was chosen state treasurer, and fixed his residence in Concord. In that office he continued until 1828, and was again elected to it in 1829. In the latter year he built a house in Greenland, and on relinquishing the treasurership, removed thither. He was appointed soon afterwards collector of the port of Portsmouth, and acted as such till his resignation in 1833.

He had qualified himself for the practice of the law, but it is doubtful whether he ever gave any considerable time or attention to it, though his name appeared on the list of the attorneys, both at Greenland and at Concord.

He is described as "of very stately and dignified mien, tall and slight. He had scholarly tastes, and was a man of far more than ordinary literary attainments, and devoted his latter days very largely to his books. He had quite a comprehensive library for those days, and was a great reader."

He married, February 14, 1826, Susan B., daughter of Charles Walker of Concord. Their son, Charles W. Pickering, is of the legal profession, and practiced for a time in Haverhill, Massachusetts.

CHARLES WARREN PIERCE.

Son of Jerediah and Deborah (Heath) Pierce; born, Fairlee, Vermont, August 6, 1837; admitted, 1863; practiced, Orford; died there, February 1, 1881.

Mr. Pierce received his education mostly in Orford, and read for his profession with David R. Lang of that place. Entering into practice there in 1863 for a while as the partner of Mr. Lang, he gained a favorable standing with the people, and was much employed as trustee and confidential adviser. He was not so much a court as a business lawyer, and his reputation for integrity and sound judgment was deservedly high. He was repeatedly chosen to the position of treasurer of the town, and was elected representative in the legislatures of 1873 and 1874.

He was married, first, October 2, 1866, to Sarah C. Dimmick; and second, December 12, 1876, to Martha A. Howard. By his first marriage he had two children, and one by his second.

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FRANKLIN PIERCE, LL. D.

Son of General Benjamin and Anna (Kendrick) Pierce ; born, Hillsborough, November 23, 1804 ; Bowdoin College, 1824 ; admitted, 1827 ; practiced, Hillsborough and Concord ; died, Concord, October 9, 1869.

The father of Franklin Pierce was a soldier of the Revolution, who fought his way up from the ranks to the command of a company. The son from his boyhood had the art of winning the strong attachment of his companions. He was prepared for his profession under Levi Woodbury of Portsmouth and Edmund Parker of Amherst, and at the law school in Northampton, Massachusetts. Commencing practice in Hillsborough, he was expected by his admiring associates to carry all before him, without effort. His very first trial, however, resulted in failure. His antagonist counsel was a ponderous, loud pachyderm, who by sheer assumption and bluster overbore all Pierce's fine-spun reasoning, and carried off the judgment. Ashamed and indignant, the young lawyer returned to his office. His friends condoled with him, and some suggested that there were other lines in the law besides the trial of causes; but here the ambitious young fellow broke in: "I want you to understand that I *will* try causes. and I will win them yet. The next case I have I will try, and if I lose it, the next after it, and so on as long as any one will intrust me with their cases, if I lose them every one." Pluck and resolution like this were sure to prevail. He removed to Concord in 1838, and formed a partnership with Asa Fowler, and afterwards with Josiah Minot. True to his determination, he devoted his study, his thought, and his efforts to accomplish himself in the trial of causes. His style of speaking, which had been meagre and costive, he had by assiduous practice and preparation enriched and improved, until he became in the opinion of one of our foremost lawyers, "probably the most brilliant advocate ever known in New Hampshire. His fascinating grace, eloquence, and power were unequaled, and his success as a jury lawyer was unattained by any other member of the profession."

He had not the ambition to become an erudite lawyer. He left questions of jurisprudence to his associates, and was content with such a knowledge of principles as would sustain the case in hand. In general he had no disposition to immure himself in his office,

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but during the terms of the court he was there early and late, sedulously employed in preparing his causes for trial. He believed that no person should be called to the stand to testify until his knowledge had been verified by personal examination by counsel, and he was in the habit of repeatedly putting his witnesses through their statements, until they were proof against attack or surprise. Though excelled by many others in the knowledge of the law, yet he was quick to seize on the strong points, and could state them clearly. On one occasion he returned home just in season to take part in a hearing upon a petition for partition, in which several legal points were involved, and Ira Perley was his opponent. All that Mr. Pierce knew of the case he gathered from a whispered consultation with his associate in the court-room, and from Mr. Perley's speech; but he immediately rose and replied with one of his most brilliant and effective harangues.

He was remarkable for his adroitness, tact, and art in dealing with witnesses and jurors. It was natural for him to seem every one's friend. He was the master of those little attentions, and that deference of manner, which secured good-will towards himself and his clients. His friends had no half confidence in him. If any of them, and they were many, happened to serve on the jury, his weakest cause could never be lost. The officers of the court, who do so much to create the atmosphere of the court-room, were always his backers. His good temper and suavity were notable. One of his partners states that in their connection of six years no word of disagreement ever passed between them.

He was strong in the examination of witnesses. He had an intuitive sense of how best to approach them, and how much they would bear. The only law books he gave much study to were treatises on evidence; with them he was familiar. His great ambition was to win his verdicts, and he made the utmost of every means that would contribute to that end. He prepared his arguments with care, and never pressed a point which he could not hope to completely establish; what was doubtful he let alone. His forte lay in appealing to the feelings of his hearers, rather than to the cool reason. He could unloose the springs of sympathy or indignation, and on them float men far away from the moorings of logic.

Mr. Pierce's political life began shortly after he went to the bar. He was representative of Hillsborough in the legislatures

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from 1829 to 1832, and the last two of those years occupied the chair of the House. In 1833 he was elected to the lower House of Congress, and in 1835 reëlected. In 1837 he was chosen a senator of the United States, a position which he resigned in 1842. He was soon after appointed district attorney for New Hampshire, and declined a cabinet appointment tendered him by President Polk. In both Houses of Congress he was "an able and much valued member." He was ready and strong in debate, and though outspoken and thorough in his political opinions, he never gave offense to his party opponents. When he quitted the Senate to resume his professional labors, one of his associates declared that "it needed only a few years to give him the front rank for talents, eloquence, and statesmanship."

It is a well-authenticated fact that Lorenzo Dow, the famous evangelist, predicted of Mr. Pierce, while he was a member of the Senate, that he would become a distinguished soldier, would live in the White House, and would die a preacher. Whether the prophecy had any influence in working out its own partial fulfillment is a problem. It may well be that the seer, who was a keen reader of character, discerned in the senator's constitution the germs of the soldier, the president, and even the preacher, for Mr. Pierce is said by nature to have had strong religious instincts. At all events, two of the three articles of the prediction may be said to have been sufficiently verified by his service as a general officer in the Mexican War, and by his occupancy of the office of President of the United States.

Of his later political life the stern logic of events has pronounced its sufficient condemnation. In the critical time when the question of the extension of slavery might have been negatived, his influence was cast in its favor. There is reason to believe, however, that his better instincts were sometimes overruled by bad counselors, with whom the "peculiar institution" outweighed all other considerations in the government of the country.

His friends loved best to remember him as he was in his prime, — "the elegant, genial, courtly" leader of the bar, eloquent, magnetic, chivalrous, the admired of all admirers. To them his very failings seemed venial, as the weaknesses of a generous nature, and almost as if they "leaned to virtue's side."

In 1834 he was united in marriage to Jane M., daughter of

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Rev. Dr. Appleton, a former president of Bowdoin College. They had three sons, who all died in childhood.

LUCIUS D. PIERCE.

Son of Ezekiel P. and Susanna (Porter) Pierce; born, Chesterfield, August 9, 1820; Norwich University, 1846; admitted, 1850 (?); practiced, Marlow; died, Winchendon, Massachusetts, May 8, 1858.

This gentleman accomplished his professional study in the office of William P. Wheeler of Keene, and was in practice in Marlow from 1850 to 1854. He then removed to Winchendon, Massachusetts, and there finished the remaining four years of his earthly experience.

His wife was Lucy C., daughter of John H. Fuller of Keene.

AUSTIN FRANKLIN PIKE.

Son of Uriah and Mary (Page) Pike; born, Hebron, October 16, 1819; admitted, 1845; practiced, Franklin; died there, October 8, 1886.

By his own exertions Mr. Pike obtained the means to prepare himself at the academies in Plymouth, and in Newbury, Vermont, for entering college in the sophomore class, but the breaking down of his health forbade him to go further. When he reached the age of twenty-two, he began the study of the law with George W. Nesmith of Franklin, and in due time became his partner in practice. They did a very extensive business. Mr. Pike was of quick perceptions and sound judgment, of indomitable industry and pluck. He soon took the position of advocate. His methods were direct, logical, and forcible. He won respect for his honesty, his professional attainments, and his high standing. He had a genuine love for his calling. After Judge Nesmith went upon the bench, Mr. Pike formed other connections in practice, and never ceased to retain his close hold upon the law, as long as he lived, notwithstanding the numerous and continued calls of political office upon his time.

He was a representative of Franklin in the legislatures of 1850, 1851, and 1852, and again in 1865 and 1866, in both which later years he was Speaker. In 1857 and 1858 he was a state senator, and president of the Senate in 1858. He was a delegate to the earliest Republican National Convention, which nominated Fre-

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mont for the presidency. He served as a member of the Forty-third Congress of the United States, and in 1883 was chosen as a compromise candidate to the United States senatorship, for the term of six years. He lived through little more than half of the period.

Mr. Pike's disposition was amiable, and his bearing dignified and polite. His associates in the bar, and in Congress, had a sincere respect for him, so marked was his uprightness, so diligent his performance of his duties, and so courteous his manner. His clients and his constituents were alike satisfied with his conscientious labors in their behalf. To the last moment of his life, in spite of weakness and suffering, he neglected no professional or official obligation, but performed the functions of his high station at the bar and in the Senate, faithfully and worthily.

He was united in marriage, in 1850, to Caroline, daughter of Thomas R. White of Franklin, and left a son and two daughters, one the wife of Frank N. Parsons, Esq., of Franklin.

DAVID PILLSBURY.

Son of Benjamin and Sally (Eaton) Pillsbury; born, Raymond, February 17, 1802; Dartmouth College, 1827, admitted, 1830; practiced, Chester and Concord; died, Concord, May 25, 1862.

Mr. Pillsbury received most of his preparation for college in the academy at Pembroke, under the charge of John Vose, whose assistant he became in 1821. He also taught schools in various places before he entered college, beginning when he was only fourteen years old. He studied law with Henry Hubbard of Charlestown, and with Samuel D. Bell of Chester, and in the latter place opened his office in 1830. In 1854 he removed to Concord.

From Chester he was a representative in the legislature in 1842 and 1844; in Concord he received the appointment of Justice of the Police Court in 1857, and retained it until his decease.

While a resident in Chester he was concerned in military affairs, beginning as adjutant, and rising through the successive grades to the command of a major-general in the militia.

General Pillsbury was a careful, formal lawyer, and well-read in the books, but his lack of judgment and of acquaintance with human nature were drawbacks to his success. Going to court

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with a case apparently perfect on paper, his depositions shaped to meet the very language of decided causes, he would be tripped up by some suddenly raised question, or find himself confronted by one of his own deponents in person, whose appearance would render his cunningly drawn depositions a complete boomerang. His military exploits, though bloodless, were sometimes annoying. The "sham fight" of one muster day left him despoiled of his plumage, and the young bloods who served on his staff were suspected of awakening an artificial liveliness in his ordinarily sedate charger, which at the first artillery fire landed him, minus wig and chapeau, ingloriously in the dust.

As a police judge he was competent and respectable.

He died a bachelor.

DANIEL CHESLEY PINKHAM.

Son of Daniel and Esther (Chesley) Pinkham; born, Jackson, March 29, 1820; Dartmouth College, 1843; practiced, Lancaster; died there, October 31, 1889.

Mr. Pinkham's experience was a diversified one. He was fitted for college at the academy in Lancaster, and after his graduation was the principal of academies in Conway and Lancaster, and an instructor in Beloit, Wisconsin, for two years. Meantime he was preparing himself for the legal profession, under the direction of Jared W. Williams in Lancaster, and afterwards in Wisconsin, where he was admitted, and practiced at Jefferson in 1847, and was clerk of the Circuit Court there in 1848 and 1849. In the latter year he was one of the great colony of emigrants to California. There he was a civil engineer and surveyor of El Dorado County from 1851 to 1853. He then returned to Lancaster, and was appointed clerk of the courts in 1856, retaining the office the twelve succeeding years. In addition to his practice as a lawyer in Lancaster, he edited the "Coos Republican" a year, and was for some time concerned in mercantile business. For several years he held the appointment of superintending school committee of the town. Mr. Pinkham evidently gained popularity and goodwill wherever he became known, but it may be easily inferred from his various employments that he was not an enthusiast in his profession.

He married, June 20, 1864, Emily M., daughter of William R. Stockwell of Lancaster, and left a son and two daughters.

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JOHN PITMAN, LL. D.

Son of Rev. John and Rebecca (Cox) Pitman ; born, Providence, Rhode Island, February 23, 1785 ; Brown University, 1799 ; practiced, Portsmouth ; died, Providence, Rhode Island, November 17, 1864.

Mr. Pitman was the son of a Baptist minister, settled in Rhode Island. He prepared for college under the tuition of Rev. William Williams, at Wrentham, Massachusetts ; studied law with David Howell of Providence, Rhode Island ; was admitted an attorney, and after passing some years in Rhode Island, New York, and Massachusetts, came, in 1816, to Portsmouth. His stay there was short, for he went away in 1820. He was chosen a representative to the legislature in 1819. A question of deep importance to the people of the State came up for action, upon the passage of what is known as the "Toleration Act," which exonerated persons from taxation, against their consent, for the support of religious worship. Mr. Pitman was so unlucky as to cast his vote on the unpopular side, while his colleague, Ichabod Bartlett, being more familiar with the feelings and grievances of the people, supported the bill, and met with the approval of his constituents. It was said that Mr. Pitman was so mortified at the disapprobation of his course by the voters of Portsmouth, that he was led to give up his residence there.

He returned to Providence in 1820, and entered upon a successful and distinguished career. In 1821 he was commissioned United States attorney for the district of Rhode Island, and in 1824 Judge of the United States Court for the same district, which office he held until his death. Daniel Webster wrote of him that he was "a learned lawyer, an able judge, and an excellent man."

He held many positions of trust in Rhode Island, and delivered several able addresses on important public occasions. His *alma mater* made him a Doctor of Laws in 1842.

In October, 1812, he was married to Mary, daughter of Benjamin Talbot of Providence. Of their nine children, six were living at the time of his death.

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WILLIAM PLUMER.

Son of Samuel and Mary (Dole) Plumer; born, Newbury, Massachusetts, June 25, 1759; admitted, 1787; practiced, Epping; died there, December 23, 1850.

The father of Mr. Plumer removed with his family to Epping in 1768, and it was there that the son educated himself. He was of an inquiring mind, and a great reader. At the age of twenty he became a convert of the Rev. Samuel Shepherd, an early minister of the Baptist persuasion, and soon after became a preacher himself, and made a tour of a large part of the State, holding daily meetings, and delivering religious exhortations to the people. In about a year, however, his zeal relaxed, and upon reconsideration of the subject, his convictions were modified to what seemed to him to be "the religion of reason and nature."

He then began the study of the law with Joshua Atherton of Amherst, but Coke on Littleton repelled him, and the suggested necessity of learning Latin sent him elsewhere. John Prentice of Londonderry made his path easier by putting Blackstone into his hands, and by giving him the opportunity to see and do some practice.

Two years before he was admitted to the bar, he was sent as representative of Epping to the legislature. He sat in the House eight years in all, and in 1791 and 1797 was chosen Speaker. In 1791 he was a delegate to the convention to revise the state constitution. He was neither an uninterested nor a silent member of these bodies, but impressed the people with his ability to such purpose that, in 1802, upon the resignation of James Sheafe, he was chosen by the legislature to succeed him in the Senate of the United States, till 1807. He there supported the measures of the Federalist party in general, and formed a lasting friendship with John Quincy Adams.

Though he afterwards changed his political affiliation, and became a Republican, or Democrat, and of course made himself obnoxious to his former political associates, yet in 1810 and 1811 he was chosen a state senator, and was made president of the Senate both years. In 1812 he was elected governor of the State, and again in 1816, 1817, and 1818, after which he declined a reëlection. His last political service was in 1820, when he was

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a presidential elector, and cast the only electoral vote in the Union against James Monroe. It was understood, at the time, that he took this course from respect to the memory of Washington, in order that no other presidential candidate should receive the like honor of a unanimous election.[1]

After this, Governor Plumer retired from active employment.

In the pursuit of the law, which was his absorbing occupation up to the age of fifty, he was strenuous, untiring, and successful. Writ-making was then abundant, and Mr. Plumer is believed to have entered three or four hundred actions in court each year. Technical learning was not so much in request. To try causes successfully before the jury was the aspiring lawyer's great ambition. He must be aggressive, ready, fluent. An acquaintance with human nature was better than a knowledge of the *scintilla juris*. Mr. Plumer knew men, he was shrewd and sagacious, and in argument clear and cogent. He tested the mettle of the ablest jurists in southern New Hampshire, and felt himself in no way their inferior. In his prime he is said to have been engaged in more trials in Rockingham and Strafford counties than any other counsel.

His independence was visible in his legal practice, as in the performance of the duties of his political positions. He meant to be no man's man. A person of such decided character must needs have enemies, especially when, like Mr. Plumer, he was known to have changed his views on political and other subjects somewhat radically. But it is evident that he had warm friends, as well. His diary shows that he strove, however, in performing his public functions, not to yield too much to the calls of party. He expected opposition, and did not allow it to disturb him. When he was about quitting the chair of the state Senate, his friends prepared the customary complimentary resolution, which they desired to have adopted unanimously. It attributed to the presiding officer, among other desirable qualities, "integrity." One of the opposition senators, a hard-headed Scotch-Irishman, when shown the resolution, objected to the term. "Just strike out that little word *inteegrity*," said he, "and I 'll vote for the resolve; other-

[1] A different motive for this vote is set forth in Plumer's *Life of Plumer*; but Judge George Y. Sawyer, who remembered the occurrence well, states that he never heard any other motive suggested than that mentioned in the text, and was convinced that it was the true one.

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wise, not." Mr. Plumer was consulted. "Oh, strike it out!" he said, "nobody will ever know the difference."

It is evident that Mr. Plumer was a leader of his time, in his profession, in political affairs, and in freedom of opinion. He has been said to be "a good hater," and doubtless his judgments of men were often colored by party or personal feeling. This may be seen by his manuscript sketches of some of his contemporaries. But it is only charitable to believe that his prejudices were involuntary.

He had a strong partiality for literary and historical work. After his service in the national Senate, he set systematically about the task of writing a history of the United States, which, however, was never completed. For several years in his later life he wrote and published in the newspapers essays under the signature of "Cincinnatus," on subjects of every-day, practical interest and importance. They were intended for the instruction of the public, and were widely read.

He was one of the founders and the first president of the state Historical Society, and contributed to its earlier publications. The materials he had collected for a history of the United States he afterwards made available in part for another work, which he projected and partially accomplished, being sketches of distinguished Americans, of all times. For this purpose he occupied much of his time for many years in procuring the needed data, from printed publications, from private sources, and from correspondence. He prepared manuscript sketches sufficient to make in print seven or eight octavo volumes.[1] His biographies indicate great diligence, extensive historical knowledge, and a disposition to treat all men fairly, so far as in him lay. The collection is a mine of useful facts, which will richly reward examination.

When Mr. Plumer was ninety years old he was invited to attend the festival of the "Sons of New Hampshire" in Boston. He felt compelled to decline the invitation by reason of the infirmities of age. Daniel Webster, the presiding officer on the occasion, proposed the health of Governor Plumer, "the oldest living member of the Congress of the United States," and prefaced it with the following tribute: "Governor Plumer is a man of learning and of talent. He has performed important service in

[1] The manuscripts are now in the possession of the New Hampshire Historical Society.

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the Congress of the United States. He has been many years governor of the State of New Hampshire. He has lived a life of study and attainment, and, I suppose, is, among the men now living, one of the best informed in the matters pertaining to the history of his country."

He married Sally, daughter of Philip Fowler of Newmarket, February 12, 1788. They lived together sixty-three years, and had several children, of whom the eldest son adopted the legal profession.

WILLIAM PLUMER, JR.

Son of Hon. William and Sally (Fowler) Plumer ; born, Epping, February 9, 1789 ; Harvard College, 1809 ; admitted, 1812 ; practiced, Epping ; died there, September 18, 1854.

The life of Mr. Plumer was more that of a scholar and statesman than of a lawyer. He was a student at the Phillips Exeter Academy, and completed his law study under his father's direction. He was nominally a practitioner in Epping for the four years after his admission, but really gave more of his time to political and historical investigation. From 1816 to 1818 he was in Portsmouth, holding a temporary United States appointment. In 1818 he was a representative from Epping in the state legislature, and the next spring was elected to Congress. There he was continued for six years, a prominent member, and held the important post of chairman of the committee on the Judiciary. In 1827 and 1828 he was a member of the state Senate, but declined a further election. Repeated offers of professional preferment that were made him met with refusal.

He devoted his attention chiefly to study, and to literary composition, though he maintained through life his interest in public affairs. He issued a few of his metrical compositions in small volumes, chiefly for the use of friends, and prepared a biography of his father, published after his death in 1857. This is a work of peculiar value, dealing with the legal and political history of the State for a long period. Mr. Plumer was modest and unambitious, and had a scholar's reluctance to engage in the struggles for positions which he might well have filled. He preferred a quiet life, where his many engaging qualities gained him influence and esteem among all who knew him.

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He married, in 1820, Margaret F. Mead, and left a son and a daughter.

JOHN PORTER.

Born, Boxford, Massachusetts, c. 1745 ; Harvard College, 1767 ; practiced, Plymouth ; died there, February 23, 1813.

This was the eldest of the three lawyers bearing the same name, who were in practice in the State in the early part of this century. He was first educated as a physician, and was through life usually called "Dr. Porter." It is understood that he was induced to go to Holderness by Samuel Livermore, who was the owner of a large portion of the soil in that township. He was probably wanted there in his medical capacity, and perhaps also as an instructor of youth.

After a time he prepared himself for the legal profession under the direction of Mr. Livermore, and set up in practice in Plymouth, being the first lawyer in that place. He was admitted a counselor of the Superior Court in 1784. He was awhile secretary of the state Bar Association, and is reputed to have been a man of learning and ability.

His wife was Sarah Cushing, a lady of literary accomplishments, having published in Concord, in 1791, a small volume of verse entitled "The Royal Penitent." Of their children, the oldest daughter became the wife of Hon. Elijah Payne of Williamstown, Vermont, and a son studied law, but died young.

JOHN PORTER.

Son of Colonel Asa and Mehitabel (Crocker) Porter ; born, Haverhill, 1769 ; Dartmouth College, 1787 ; practiced, Chester and Haverhill ; died, Broome County, Canada.

There being three contemporaneous John Porters on the roll of attorneys in New Hampshire, this one was commonly distinguished as John Porter, junior. He was induced to settle in Chester by Tappan Webster, a leading business man there, to do his collecting. He arrived there in April, 1790, and remained three years, and then returned to Haverhill, where, and in Newbury, Vermont, he continued in practice until 1800. He then went to Canada. The time of his death has not been ascertained.

His wife was a Webster from Chester.

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JOHN PORTER.

Son of John and Martha (Perkins) Porter ; born, Bridgewater, Massachusetts, February 26, 1776 ; Dartmouth College, 1803 ; admitted, 1806 ; practiced, Londonderry and Derry ; died, Derry, December 4, 1857.

Mr. Porter prepared himself for the law in the office of Henry Hutchinson of Lebanon, was admitted in Grafton County, and at once began practice in that part of Londonderry which is now Derry. He was representative of the town thirteen years between 1815 and 1847. He was slow in getting into practice, and the income of his business for the first fifteen years averaged no more than four hundred dollars per year. Indeed, the calls for legal services in Londonderry were so few, and the compensation so small, that he never could have received from that source enough to give himself and his family more than a decent support. For years he was the treasurer of the Pinkerton Academy, which added to his resources.

He was well learned in the law, and was a prudent and careful counselor, but was said to refine too much, and lacked facility as a speaker. His matter was good, but his manner was not attractive, and he usually procured Mr. Mason, or at a later date some other leading counsel, to present his causes to the court and jury. He was gentlemanly in manner, dignified, and generally respected.

His marriage took place in 1803, with Nancy, daughter of Colonel Daniel Hough of Lebanon. The elder of their two sons became a lawyer.

JOHN PORTER, JR.

Son of John and Nancy (Hough) Porter ; born, Londonderry, July 20, 1810 ; practiced, Bedford, Manchester, and Derry ; died, Enfield, 1875.

Mr. Porter received his chief education at the Pinkerton Academy in his native town. He studied his profession with his father, and went into practice in Bedford in 1835, as a partner of Jonas B. Bowman. Afterwards he was in Merrimac for a time. In 1839 he settled in Manchester, but gave up the law in 1842, and went into mercantile business with his brother, George Porter. He was also employed at one time in a machine shop. Some

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years afterwards he returned to Derry, and resumed practice; but his habits had become irregular, and he had little business. After some years of this life he disappeared from his home, and nothing was known of him by his old acquaintances for a considerable time. It appears that he had the wisdom to apply for admission to the society of the Shakers at Enfield. They received him kindly; he was carefully looked after, and with good food, temperate living, and regular employment he lost his appetite for strong drink, and became a useful member of the community. His education and business capacity advanced him to the position of traveling agent. In this friendly society he made his home as long as he lived.

He was never married.

CHANDLER EASTMAN POTTER.

Son of Joseph and Anna (Drake) Potter; born, Concord, March 7, 1807; Dartmouth College, 1831; admitted, 1843; practiced, Concord and Manchester; died, Flint, Michigan, August 3, 1868.

At the age of eighteen Mr. Potter began preparation for college under Master Vose of Pembroke. He was engaged in teaching several years, first in Concord, and afterwards in charge of the high school in Portsmouth. He then studied law with Ichabod Bartlett in Portsmouth, and with Pierce and Fowler in Concord. He set up practice in (East) Concord for a year, and then moved to Manchester. He had no great liking for the law; his tastes were literary, journalistic, and historical. At Manchester he took charge of the "Democrat," a weekly political newspaper, till 1848, when he received the appointment of Judge of the Police Court. While filling this office he conducted the "Farmers' Monthly Visitor," in 1852 and 1853, to which he contributed many valuable articles upon the history of the State, and in 1854 and 1855 edited the "Granite Farmer."

In 1856 he published a full and elaborate "History of Manchester," which contained also a large amount of information upon the history of the province, and respecting the aborigines, of whose traditions and language he had made a special study. Ten years later he prepared for publication in the Reports of the Adjutant-General, a military history of New Hampshire, a very useful compilation. Judge Potter was a vice-president of the New

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Hampshire Historical Society three years, and delivered an address at its annual meeting in 1851. He was instrumental in forming the Amoskeag Veterans, a military *corps d'élite*, and was its first commander.

He was united in marriage, in 1832, to Clara A., daughter of John Underwood of Portsmouth. She died in 1854, leaving him three children; and he was again married, in 1856, to Frances M., daughter of General John McNeil of Hillsborough.

JOHN PRAY.

It is not known that Mr. Pray, who acted many years in the courts as an attorney, had any regular apprenticeship to the law. In the inventory of his effects there are some indications that his original occupation was that of a saddler. But he held various offices in Portsmouth, between 1718 and 1731, and in the latter year his name first appeared on the dockets of the court. He continued in practice from that time well up to the close of his life, which took place about the last of the year 1742.

THOMAS MOSES PRAY.

Son of Dr. Thomas J. W. and Sarah E. (Wheeler) Pray; born, Dover, March 21, 1857; Bowdoin College, 1878; admitted, 1882; practiced, Dover; died there, September 8, 1887.

This promising young lawyer was prepared for college in the public schools of Dover, and was a scholar of unusual excellence. He studied law with Frank Hobbs and John Kivel, both of Dover, and at Harvard Law School, and opened his office in his native city.

He began his political career while still a law student, as a representative in the legislature of 1881, and was reëlected in 1883. Though the youngest member he made his mark there, as a man of character and force. In 1885 and 1886 he was city solicitor, and performed his duties ably and satisfactorily.

Well adapted to professional life, popular and successful, he was naturally expected to fill a prominent place in the future, when he was attacked by the disease which terminated his existence on earth.

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JOHN PRENTICE.

Born, Cambridge, Massachusetts, c. 1747; Harvard College, 1766; practiced, Londonderry; died there, May 18, 1808.

The mother of Mr. Prentice is said to have been a sweeper of the college buildings to earn the means to pay her son's collegiate expenses. He studied law with Samuel Livermore at Londonderry, and subsequently settled in that town. But before that he lived awhile in Marblehead, Massachusetts, and subscribed the address of the loyalists of that place to Governor Hutchinson, May 25, 1774. The great offense which these addresses gave to the Whigs of the time induced some of the signers to recant; among them Prentice, who ate his words in the following vigorous style: —

"Whereas I, the subscriber, signed an address to the late Governor Hutchinson, I wish the devil had had said address before I had seen it. Marblehead, October 24, 1774.

JOHN PRENTICE."

And on his arrival in Londonderry, in June, 1775, he issued a fuller retraction of the sentiment of the address.

A tradition exists of his reception by the Scotch-Irish inhabitants of Londonderry, which is more probably true of his predecessor, Samuel Livermore. The people stoutly objected to the introduction of a lawyer into their town, and warned him not to persist in the attempt. He proposed to settle the question by "trial of battle," which seemed to them reasonable, and they produced their champion, a mighty bruiser. But the lawyer took his blows so manfully, and gave him such a pommeling in return, that all objections were withdrawn, and he was duly admitted to the citizenship of the town.

During the Revolution, law practice languished, but after the restoration of peace, Mr. Prentice, whose native powers were considerable, and whose knowledge of his profession was sufficient for his day, began to take his place among the lawyers of note. He was chosen a representative in the legislature for thirteen years, beginning in 1785 and ending in 1805. Seven years he occupied the chair of the Speaker. In 1787 he was given the commission of attorney-general, and held it till 1793. In 1798 he

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was tendered a judgeship of the Superior Court, but declined it. For twenty years he was regarded as a leading and a formidable man in the court-room and in the halls of legislation. He was not, however, a learned lawyer nor a student, and his powers had never been curbed by discipline. He was passionate and extravagant in assertion, a creature of impulse. He boasted of raising in his garden a melon as large as a barrel, and of digging out a pine stump that produced twenty-five cords of wood. He was so angry at a part of his crop of hay being wet by three successive rains before he could get it into his barn, that he ordered his men to burn it in the field. He complained of a stone wall that he had employed a man to build for him, that it would never stand a heavy dew. "Why," said he, "I saw a robin alight on it yesterday, and when he flew away he knocked down nineteen rods of it at one kick."

In an action which he brought, the defendant's counsel caused to be entered a suggestion of the death of the plaintiff. Prentice protested to the court that the entry was not true. The Judge remarked, mischievously, "The records of the court cannot lie." "Can't they!" vociferated Prentice. "I tell your Honor that my client is alive and well, and if your Honor's records say that he is dead, they do lie like h—."

But in spite of his want of balance, his heart had its tender side. He harbored no malice. After his spleen had first vented itself, he was not vindictive. He was a good neighbor, and was well liked by his Scotch-Irish townsmen. He was a kind parent, almost to the point of over-indulgence of his children. The death of his mother, to whom he owed everything, caused him an illness which kept him for days in his bed. "She was one of the best of mothers," he said, "and I loved her tenderly. No woman ever possessed a sweeter disposition, or discharged the duties of her station with more prudence or greater fidelity."

In 1775 he married Ruth, daughter of Dr. Lemon of Marblehead, Massachusetts, whose dowry enabled him to become the proprietor of a fine house and farm in Londonderry. She died in 1791, and he married Tabitha, daughter of Judge Nathaniel P. Sargent of Haverhill, Massachusetts. By each of his wives he had eight children.

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JOHN JAMES PRENTISS.

Son of John and Azuba (Towne) Prentiss; born, Mont Vernon, 1818; admitted, 1837; practiced, Merrimac, Henniker, and Claremont; died, Chicago, Illinois, 1890.

This gentleman attended the Kimball Union Academy in 1829 and 1830, and was a student in Dartmouth College from 1830 to 1833, but did not take his degree. He read law with Edmund Parker of Amherst and Benjamin M. Farley of Hollis, and was apparently admitted an attorney before he reached his majority. In Merrimac, where he first started in practice, he remained but six weeks; then removing to Henniker, he made his home there about five years, and in 1842 settled in Claremont. He was appointed postmaster in Claremont in 1849, and elected a representative in the legislature in 1854 and 1855, in the latter of which years he was chosen Speaker of the House. Judge Fowler pronounced him one of the best presiding officers he ever knew. As a lawyer, though respectable, he was entitled to less praise.

In 1882 he changed his domicile to Chicago, Illinois, and spent the rest of his life there.

He was married, December 7, 1837, to Mary Ann, daughter of Hon. Edmund Parker of Amherst, and had a son and perhaps other children.

EZRA PRESCOTT.

Son of David and Dolly (Wright) Prescott; born, Westford, Massachusetts, March 17, 1781; practiced, Francestown, Greenfield, and Amherst; died, Amherst, September 28, 1845.

It is supposed that Mr. Prescott received his literary and legal education in Massachusetts, and that he practiced his profession there before coming to this State. He was admitted to the bar in New Hampshire in October, 1815, and the same year settled in Francestown. Continuing there till 1824, he then removed to Greenfield, and raised his sign over the office which had been occupied by General James Miller. He received the commission of postmaster and held it till 1828. In that year he was elected register of deeds, and removed to Amherst, the county seat. Rotation in office not being the fashion of that day, especially in

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the office which he filled satisfactorily, he remained register until 1840. He then resumed the practice of his profession during the remainder of his life.

His wife was Elizabeth Hardy, and they had no children.

GEORGE WASHINGTON PRESCOTT.

Son of Henry and Mary (Newmarch) Prescott ; born, Kittery, Maine, January 8, 1776 ; Dartmouth College, 1795 ; practiced, Portsmouth ; died there, March 17, 1817.

Mr. Prescott qualified himself for admission to the bar under the instruction of Theophilus Parsons of Newburyport and of William Prescott of Boston. He practiced, first, in Haverhill, Massachusetts, and afterwards removed to Portsmouth, probably as early as 1805. He delivered an oration in that town, July 4, 1808, which was published.

He is said to have settled in Portsmouth by the desire of Governor Langdon. Those were high party times, and the leading lawyers of Portsmouth being Federalists, the governor, who was a staunch Republican, wanted a legal adviser of his own political faith. The story goes that Prescott was found hardly a match for Webster and Mason, and that Langdon took his *protégé* to task for suffering his Federal opponents to get the advantage of him. "Why, if I were you," urged the governor, whose notion of the literature of the bar was rather limited, "I 'd study the statutes till I got every word of them by heart, before I would allow those fellows to beat me." Mr. Prescott took part actively in the war of 1812, and as a captain in the army was present, under General Harrison, at the battle of Tippecanoe.

After the war was ended he quitted military life, and returned to his profession in Portsmouth. He was a practitioner of respectability. In 1814 he received the appointment of clerk of the United States District Court of New Hampshire, and in 1816 he was made Judge of the Court of Common Pleas, and died while holding that office.

Mr. Prescott was twice married. His first wife was Abigail, daughter of Colonel Pierse Long of Portsmouth. After her death he married Mary Grafton, of Boston, Massachusetts, August 15, 1804. By this marriage he had seven children.

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SAMUEL PRESCOTT.

Son of John and Martha (Abbott) Prescott; born, Westford, Massachusetts, January 8, 1782; Harvard College, 1799; practiced, Chesterfield and Keene; died, Keene, November 13, 1813.

Mr. Prescott was employed after his graduation as a teacher for about three years, and had charge of the grammar school in Keene in 1801 and 1802. He subsequently prepared himself for the bar and was admitted as an attorney, probably in 1804; and as a counselor of the Superior Court in May, 1806. He first settled in Chesterfield for a couple of years, and then removed to Keene in 1806 or 1807. Not long afterwards he went in company with his father-in-law, Moses Johnson, to western New York, but returned subsequently to Keene. He was but thirty-one years of age at his decease.

He was married in 1805 to Frances Johnson of Keene, and left a son and a daughter.

JOHN PRESTON.

Son of Dr. John and Elizabeth (Champney) Preston; born, New Ipswich, April 12, 1802; Harvard College, 1823; practiced, New Ipswich; died there, March 5, 1867.

The father and paternal grandfather of Mr. Preston were physicians; his maternal grandfather was a lawyer, and he chose the profession of the latter, studying in the office of George F. Farley of New Ipswich, and in that of Samuel Hubbard of Boston, Massachusetts. He began to practice in Townsend, Massachusetts, in 1828, but after three years returned to his native town. The residue of his life he passed there, in the general and successful practice of the law, varied with official duties, of which many fell to his share. He held at different times all the chief offices of the town. He was representative in the legislature from 1833 to 1838, from 1843 to 1847, and in 1851 and 1852. He was a state senator in 1848 and 1849. Upon the establishment of the New Ipswich Savings Bank he became its treasurer, and continued so till his decease. He was many years secretary and treasurer of the New Ipswich Academy, and the last twelve years of his life a trustee of the New Hampshire Asylum for the Insane.

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Moreover, he was a progressive farmer, delighting in his choice stock, and a reformer, an original anti-slavery partisan, and an advocate of temperance.

He had all the courage of his convictions, and, being a fluent and ready speaker, he impressed his views forcibly upon those about him.

The people of New Ipswich who knew him intimately declared their appreciation of his virtues by recording upon the books of the town resolutions expressive of their grief at his decease, and commending his worthy example to the imitation of the young men who were to succeed him.

Mr. Preston's wife was Elizabeth Smith French, whom he married at Townsend, Massachusetts, in October, 1828. They had seven children, of whom one, William A. Preston, belongs to the profession of his father.

CHARLES LEWIS PUTNAM.

Son of John and Mary (Converse) Putnam ; born, Chesterfield, September 10, 1810; Dartmouth College, 1830 ; admitted, 1833 ; practiced, Claremont and Keene ; died, Worcester, Massachusetts, July 17, 1877.

Mr. Putnam acquired his preparation for college at the academy in his native town. After his graduation he studied in the offices of Joel Parker at Keene, and George B. Upham at Claremont, and was admitted in Cheshire County in 1833. Although he held himself out as a lawyer for a few years, and had a limited amount of practice, yet he never gave close attention to his profession, but was principally engaged in the business of insurance. He resided in Claremont from 1838 to 1840; then removed to Keene, where he remained till 1846, and held the office of postmaster from 1841 to 1845; and finally settled in Worcester, Massachusetts.

There he became successively secretary of the Merchants' and Farmers' Insurance Company; vice-president of the state United Life Insurance Company, and president of the Bay State Insurance Company. He was also commissioner of insurance for Massachusetts, and a representative from Worcester in the legislature. He was a gentleman of high standing, and possessed unusually agreeable social qualities.

His wife was Dorothy, daughter of Samuel Flagg of Worcester,

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and their daughter married Colonel John D. Washburn, a lawyer, of that city.

JOHN ALVIN PUTNEY.

Son of John and Sally (Batchelder) Putney; born, Concord, August 23, 1833; Dartmouth College, 1856; admitted, 1858; practiced, Plymouth and Concord; died, Memphis, Tennessee, 1865.

Mr. Putney read law partly in Concord and partly in Portland, Maine, with General Samuel Fessenden, and entered into practice in Plymouth in 1858. Remaining there but two years, he returned for a short time to Concord, and then removed to Memphis, Tennessee, where he was at the breaking out of the Rebellion. He was loyal to the old flag, and served as quartermaster of a regiment of Kentucky volunteers. At the close of the war he returned to Memphis, and there died soon afterwards.

He married, in 1856, Lucinda L., daughter of Harrison Roberts of Warner; and second, in 1860, Celia Bowers of Louisville, Kentucky.

SAMUEL DALTON QUARLES.

Son of Samuel J. and Sarah S. (Dalton) Quarles; born, Ossipee, January 16, 1833; admitted, 1861; practiced, Ossipee; died there, November 23, 1889.

Mr. Quarles was educated at the Phillips Exeter and other academies, and at the Michigan University, where he pursued a special course of a year. He began the study of the law in the office of Luther D. Sawyer of Ossipee, and while there received the appointment of school commissioner for Carroll County, which he resigned soon after he was admitted an attorney, in order to enter the volunteer army in defense of the Union.

He enlisted a company and went to the front as its captain, in the Sixth New Hampshire Regiment. In the battle at Spotsylvania, Virginia, he received a severe and painful wound, which kept him five months from the field. On his return to duty he was mustered as major of the regiment, and at a later date was promoted to be lieutenant-colonel. He was a gallant soldier and an exact disciplinarian, but courteous and impartial, and was valued alike by those above and below him in his military rank.

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Upon the termination of the war he returned home to his profession. He was familiar with the principles of the law, and in natural fitness for practice he was excelled by few. Diligent in the preparation of his causes, he exhibited uncommon fertility of resources in every emergency that confronted him.

From 1869 to 1871 he served as railroad commissioner, and had he been ambitious for public office, might have aspired to almost any position in the gift of the people, but he preferred the practice of his profession and a private station. His upright character and amiable qualities surrounded him with clients and friends.

He married S. Augusta, daughter of Moses P. Brown, November 26, 1866, and left children.

JOSIAH QUINCY.

Son of Samuel and —— (Hatch) Quincy ; born, Lenox, Massachusetts, March 7, 1793 ; admitted, 1815 ; practiced, Rumney ; died there, January 19, 1875.

Mr. Quincy's father was a lawyer, who had been reduced to narrow circumstances, so that the son in his childhood literally ate the bread of poverty. While a boy he underwent a severe attack of scarlet fever, which caused a lameness in one leg, so that he was obliged throughout his life to use a crutch. Being thus unfitted for manual labor, he eagerly sought for an education. By the aid of friends he obtained sufficient means to enable him to study for the legal profession in the office of Samuel Jones of Stockbridge, whence he obtained admission to the bar. He thus early learned the value of money, — a lesson that he never forgot.

By the invitation of a connection in Rumney, he settled in that town in 1816. His pecuniary success was immediate. In one year he gained enough to enable him to pay a debt of $200 for his law tuition, and to clear $2,000 in addition to his expenses. By far the largest part of the business which yielded so speedy and ample a return consisted of suits brought on demands that were not contested. The number of his justice writs averaged forty a month ; and his court writs in proportion.

His indomitable zeal in the pursuit of gain brought him in a few years the reputation of being a hard, grasping man, though it is not known that his methods differed from those of a great pro-

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portion of his professional brethren at that time. He was simply more successful than they. But his success was by no means all in the direction of money-making. He was soon recognized as a shrewd, energetic, laborious, and persistent manager of contested causes, as well as an advocate of no ordinary power. In 1822 he was engaged in conducting the impeachment of Edward Evans, Judge of Probate for Grafton County, before the New Hampshire House of Representatives, and thus had the opportunity to exhibit his talents in a wider field. In 1824 and 1825 he served in the legislature, and acquired the reputation of a ready debater and sagacious partisan. He was again a representative in 1837 and the three succeeding years, in 1850, and in 1859 and 1860. In 1841 and 1842 he was a state senator, and was chosen president of the Senate in both years. In his portion of the State he was for many years the leading man of his party. But he was a patriot before all, and when the first gun of the Rebellion was fired, he declared his unyielding adhesion to the Union.

In religion Mr. Quincy was a member of the Baptist denomination, and was the president of the board of trustees of the New Hampshire Academical and Theological Institution. For a number of years he gave close attention to its affairs, and contributed liberally of his means to its support.

Of the Boston, Concord, and Montreal Railroad he may fairly be called the father. He was from 1844 sixteen years president of the corporation, and he spared no time nor pains to make the project a success. The difficulties were many, but he surmounted them all. The railroad, chiefly through his efforts, was finished to and across the Connecticut River, and the work was complete.

Mr. Quincy lived to become an old man, and an accident late in life rendered him almost incapable of walking. But he kept up his interest in his business, and attended at the terms of the courts, not in the court-room, but at his rooms in the hotel. He never "lost his grip" mentally, or even physically. His handwriting is said to have remained to the last as firm and legible as in his middle life.

He owed his success chiefly to his unceasing diligence. He was not a bookish man, though he kept himself *au courant* with the principles and decisions of his profession. He was rather a student of men and affairs. He did not go through life with his eyes shut; on the contrary, his observation was keen and inclu-

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sive. He knew the feelings and prejudices of the people, and could judge well how juries would be affected by any line of conduct. As he had a great dislike of failure, he would not push his causes to trial unless he felt quite sure of winning them, but brought the parties to some terms of compromise. He was very successful in the accumulation of property. For many years he was a partner in a mercantile business and a bank director, both of which positions were valuable adjuncts to his law practice. In his later years he had many retainers in railroad cases. His professional practice was the mainstay of his prosperity.

He was three times married; first, April 5, 1819, to Mary Grace, daughter of Jabez H. Weld of Plymouth; second, October 20, 1845, to Harriet Tufts of Rumney; and third, June 11, 1868, to Mrs. Mary H. Dix of Woburn, Massachusetts, who survived him. By his first marriage he had two sons and two daughters; by his last, one daughter.

IRA ALLEN RAMSAY.

Son of Robert Ramsay; born, Wheelock, Vermont, August 14, 1827; admitted, 1853; practiced, Colebrook; died, St. Paul, Minnesota, November 7, 1871.

Mr. Ramsay's early education was obtained in the common schools. Up to the age of twenty-three he was employed in various occupations; then he prepared himself for the law in the office of Jesse Cooper of Irasburg, Vermont, and in Boston, Massachusetts. He began practice at Guildhall, Vermont, in 1853. Two years later he moved to Colebrook, where he continued twelve years, and then emigrated to St. Paul, Minnesota. A man of great energy and with entire confidence in his own powers, he built up a large business in the vicinity where he lived, on both sides of the Connecticut, and tried many causes. When he quitted New Hampshire he took away a very considerable property.

In his new home, however, he was less successful. He lost his health there, and survived his change of habitation but a few years.

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CHARLES WHITE RAND.

Son of Hamlin and Harriet (Sprague) Rand ; born, Bath, July 5, 1819 ; Wesleyan University, 1841 ; practiced, Littleton ; died there, August 3, 1874.

Mr. Rand's preparation for college was acquired at Kimball Union Academy. He was a student at law in the office of Henry A. Bellows of Littleton and at the Harvard Law School, and began to practice at Littleton in 1847. In 1856 he was commissioned solicitor for the county of Grafton and served as such until 1861, in which year he was appointed district attorney of the United States. The latter office he retained through the administration of President Lincoln, and nearly through that of his successor.

During the first year of his practice he was the partner of John Farr of Littleton ; afterwards he was associated in business with his brother, Edward D. Rand. In 1860 Edward changed his place of residence to Lisbon, while Charles continued at Littleton, but their business connection remained unbroken.

Charles W. Rand was a careful, well-read, painstaking practitioner, and looked especially after the pleadings, the briefs, and the strictly legal work of the firm, leaving his brother to do the arguing and manage the trials. Each was the better fitted for the department which he undertook. Charles's remark to a brother member of the bar, that he thought every lawyer should carefully re-read Chitty's Pleadings once every year, indicates his thoroughness in the fundamentals of his profession.

But he was not a mere lawyer, in whose veins ran ink and whose skin was parchment. He was fond of literature and of discoursing upon his favorite authors, and was a genial companion and a most worthy man.

He married, in 1847, Jane M., daughter of Otis Batchelder, and left no children.

EDWARD DEAN RAND.

Son of Hamlin and Harriet (Sprague) Rand ; born, Bath, December 26, 1821 ; Wesleyan University, 1841 ; practiced, Littleton, Lisbon, and Concord ; died, Lisbon, January 14, 1885.

The Rand brothers had lawyer's blood in their veins, being descended, through their mother, from Alden Sprague of Haver-

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hill, an eminent jurist and advocate. Edward was prepared for college at Kimball Union Academy, and after his graduation he proceeded to New Orleans, Louisiana, and was engaged in instruction there, and also studied law in the office of the noted Judah P. Benjamin. Admitted in 1846, he spent the succeeding nine years in practice in that city. While there he exhibited his principle and moral courage by refusing to fight a duel to which he was challenged by some enraged fire-eater. It really demanded more boldness to decline an invitation to the field than to incur the risks of the combat, in the state of public feeling which then prevailed in that community. The affair had a strange termination. The challenger afterwards, when in a state of intoxication, wounded Mr. Rand by a shot in the back, but subsequently on his deathbed repented of his violence, and sent him a friendly message.

In 1855 Mr. Rand returned to New Hampshire, and entered into a law partnership with his brother, Charles W. Rand, at Littleton. In 1860 Edward removed to Lisbon, but without dissolving their business connection.

In 1874 Edward D. Rand was appointed by Governor Weston, on the reörganization of the judiciary, a Judge of the new Circuit Court. He held his seat only two years, when a political revolution put an end to the tribunal. While upon the bench he was diligent and conscientious in the performance of every official duty, and presided with honesty and fairness and dignity. One noted case which came before him was that of Joseph Le Page, a stoutly contested trial for murder, in which Judge Rand's mastery of the French language, acquired during his residence in New Orleans, was of much service, the accused being unfamiliar with English.

After quitting the bench he remained in Concord for two or three years, chiefly employed at the law terms before legislative committees and the like. He then returned to Lisbon, and resumed his practice there. It rapidly became extended and valuable. His high personal qualities, his gift of eloquent speech, his fidelity to his engagements, all combined to give him a professional place among the very foremost, and his services were secured in most of the important causes arising in his vicinity.

Judge Rand was peculiarly skillful and happy in the difficult art of addressing courts and juries. He was a scholar; his sen-

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tences were well moulded and his words fitly chosen. He made every point clear and each shred of evidence tell for all it was worth. He had, too, no little of that mysterious fire which warms whole masses of men, which makes them listen to feeling rather than to reason, and often carries conviction where logic fails.

He was frequently called upon to address public assemblies, and was one of the most acceptable and interesting speakers of his section. No man was more felicitous than he in the little speeches of welcome and congratulation and the like, requiring a light touch and educated taste, of which so many are called for in our time. In social life he was a most agreeable companion, with a keen sense of the humorous. He used to tell with much gusto an anecdote of Counselor B., a brother practitioner in a neighboring town, noted for his caustic humor and vigorous expression. Judge Rand was employed against him in a "road case." When the hearing came on before the commissioners, it was found that the parties and counsel must be taken out several miles for a "view." Judge Rand had his own comfortable carriage, but observed that his opponent was provided by his clients with no better vehicle than a common wagon with unyielding springs and a wooden seat. Counselor B., who was verging on threescore, looked with dismay on his intended conveyance. Judge Rand immediately proposed to him to take a seat beside himself, an offer which was accepted with evident relief. As the counselor settled himself on the comfortably cushioned seat, he remarked apologetically to the Judge: "I find I can't stand being *hell-pestled* round as I could five and twenty years ago!"

Though Judge Rand is said to have had a fondness for the sports of the gun and the fishing-rod, his chief recreation was in the pursuits of literature. He was a student of belles-lettres and familiar with the works of the best authors, and was himself the author of many compositions in prose and verse, not a few of which appeared in the periodicals of the day. Since his decease the Lisbon Library Association, of which he had been the president, have issued a beautiful memorial volume of his addresses, essays, and poems.

Judge Rand was married, November 10, 1856, to Joan H., daughter of Truman Stevens of Littleton. They had one daughter.

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EDWARD RANDOLPH.

Son of Dr. Edmund and Deborah (Master) Randolph; born, Canterbury, England, July, 1632; practiced, Portsmouth; died, Accomac, Virginia (?), 1703.

Edward Randolph was admitted a student at law in Gray's Inn, London, November 12, 1650. He was sent to this country by the Lords of Trade in England in 1676, through the influence probably of Robert Tufton Mason, with whom he was connected by marriage, to report upon the state of the colonies; and visited the towns of New Hampshire, endeavoring to persuade the people to acknowledge Mason's title to the lands. In 1679 he came here again, to bring over the commission of John Cutt as governor of the province. He then received the appointment of collector of customs, surveyor, and searcher for New England. By Governor Cranfield he was made attorney-general of this province, and obsequiously performed his mandates and those of Mason, much to the oppression and indignation of the people. He was a member of the council of Governor Andros, became one of his chief supporters, and upon his fall in 1689 was imprisoned and sent to England.

He returned to this country in 1691 with the appointment of collector of general customs in all the English provinces in North America, and held the position till his death.

He was arbitrary in his methods, and has been styled the "evil genius of New England." He was a faithful servant of his king and of his provincial representatives, a stanch upholder of the claims of his kinsman Mason, and a stout partisan of the English church, all which circumstances brought him the dislike of the colonists. But he successfully exerted his interest with the Earl of Clarendon for the pardon of Edward Gove, sentenced to death for high treason in resisting Cranfield's authority, and during the later years of his stay in this country he administered his authority in a manner which provoked no censure, so far as appears.

Randolph was three times married; first, to Jane, daughter of Thomas Gibbon; she died in 1679, leaving three or four daughters; second, to Grace Grenville; and third to Mrs. Sarah Platt, who bore him one daughter.

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JONATHAN RAWSON.

Son of Rev. Grindall and Desire (Thacher) Rawson; born, Yarmouth, Massachusetts, 1759; admitted, 1785 (?); practiced, Nottingham and Dover; died, Dover, May 17, 1794.

In youth, Mr. Rawson served some time as a subordinate officer in the Revolutionary army. After the close of the war he studied law with Peter Green of Concord. For a short time he practiced in Nottingham, and then removed to Dover. In 1789 he and Charles Clapham were chosen attorneys for that town, but Rawson is said to have been fonder of amusement and light reading than of the law. While he lived in Nottingham he delivered an oration commemorating the capture of General Burgoyne and his army, and he was also the author of a number of political essays published in the newspapers. He had a liking for military matters; served as aid to Governor Sullivan in 1788, and in 1793 published in an octavo volume extracts from the writings of eminent martial authorities entitled, "A Compendium of Military Duty." Mr. Rawson has been described as a man of genius and of eloquence, but in his habits he was deliberate and "easy-going;" and it was told that on one occasion, as he was riding on horseback, with John P. Hale of Rochester for his companion, — who was as active and impulsive as Rawson was the opposite, — Rawson's horse fell, bringing his rider's leg under him, and lay upon it. Hale dismounted in a trice and hurried to the rescue. "Don't be hasty, brother Hale," exclaimed the phlegmatic Rawson; "your impetuosity, I am afraid, will be the ruin of you."

Mr. Rawson's habits were ill calculated to bring him legal business; he had little ambition to shine in his profession or to accumulate property. Towards the close of his brief life he fell into intemperance and idleness, and his health became ruined. Upon his death, as a compliment to his military character, he was buried under arms.

His wife, who survived him, was a daughter of Captain Gage of Dover, and he left one son.

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OSSIAN RAY.

Son of George and Hannah (Greene) Ray ; born, Hinesburg, Vermont, December 13, 1835; admitted, 1857 ; practiced, Lancaster ; died there, January 28, 1892.

Mr. Ray's boyhood was passed in Irasburg, Vermont. He worked upon the farm in summer, and attended the district school in winter. As he grew older he became a student several terms in the Irasburg Academy, and later in that of Derby, Vermont, where he partially fitted himself for college. By the advice of Jesse Cooper, a leading lawyer of Irasburg, he entered that gentleman's office as a student. In 1854 he went to Lancaster, to assist in closing up the law business of Saunders W. Cooper, and appears to have made that place his home ever afterwards. He taught school by day and studied law in the evenings, formed a wide acquaintance among the people, and showed his promise by the trial of justice cases.

In January, 1857, he began regularly to practice in Lancaster, and also attended the courts in Essex County, Vermont. His diligent study and early acquired experience prepared him to grapple at once with the work of a wide and various practice, and he was successful from the beginning. Before he had been half a dozen years at the bar he was employed in a large part of the cases of importance in both States, and during the whole period of his practice he preserved a leading position. The chief railroad and other corporations of his section secured his services by general retainers, and he was not seldom called into other counties and into the federal courts to take charge of causes there. For the ten years from 1862 to 1872 he was solicitor of Coos County.

His political career began with his representation of Lancaster in the state legislature in 1868 and 1869, where his abilities were recognized by his assignment to the head of the principal committees. He was a delegate to the Republican National Convention in 1872, and was appointed United States attorney for the district of New Hampshire in 1879. This office he resigned in December, 1880, upon being nominated as a candidate for representative in Congress to fill the vacancy caused by the death of Evarts W. Farr. He was elected for the fractional term, and re-elected to the Forty-seventh and Forty-eighth Congresses, and was a diligent, progressive, and influential member.

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After quitting Congress he returned to the practice of the law. He had never learned to spare himself, and did not feel that he had fulfilled his duty so long as aught remained undone that lay within his power. His assiduous application and prolonged mental strain at length seriously threatened his health, and he was induced to make a trip to Europe for relief. But it was not in his nature to relax his efforts in his professional work. He persevered in attending to his trials in the courts as long as he had the physical power to do so. And it was not till the bow too long bent had lost its elasticity, and the last shaft was shot, that he succumbed.

Mr. Ray's natural endowments adapted him peculiarly for the legal profession. Quick of apprehension, retentive of memory, with a zeal for his adopted cause that never flagged, and a sanguine faith in its justice that never faltered, he was a counselor to hearten the timid suitor and to rejoice the soul of the contentious. Work in his calling was play to him. He never shirked the heaviest amount of labor to make a point clearer or stronger. He never would admit a defeat. His resources were endless. If the verdict was against him to-day, to-morrow saw him well on the way to a new hearing. So long as the law afforded him the glimmer of a chance of retrieval, he never relaxed his exertions or lost his hope.

In the work of the court-room he was dexterous. He impressed all with his perfect confidence in the righteousness of his cause. He ever kept the sympathy on his side. His arguments were the spontaneous outpouring of his feelings rather than the elaborations of the midnight oil, and were powerfully effective.

He was the very impersonation of energy. It shone forth in his every look and movement. There was a ring in his voice and a sparkle in his eye that no amount of labor or discouragement could repress.

His reading led him far outside of Blackstone and Chitty. His house was well filled with the works of general literature, and he solaced the leisure that his daily duties allowed him by the perusal of books that improve the mind and gratify the taste.

He was conspicuously single-hearted, free from all deception or duplicity. His words were not intended to conceal his thoughts; he was always fair, square, and aboveboard.

Unselfishness was one of his notable characteristics. Every

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call, uttered or silent, for help for others, he was quick to heed. Generous of his purse as of his services, he was a true brother to all in want or trouble. No better citizen, neighbor, friend, was left behind, when Ossian Ray quitted the world.

He was twice married; first, March 2, 1856, to Alice A., daughter of Henry Fling of West Stewartstown; second, to Mrs. Sallie Emery (Small) Burnside, who, with a son and a daughter by each marriage, survived him.

JOSEPH RAYN.

This was a creature of Governor Cranfield, and though not an educated lawyer, served his master's purpose as attorney-general to prosecute, in 1683–84, an information against the Rev. Josiah Moody, for refusing to obey the arbitrary mandate of Cranfield to administer to him and his companions the sacrament of the Lord's Supper after the manner of the Church of England. Rayn's conduct of the trial was domineering and scandalous. He served the interests of Cranfield and Mason also in the capacity of sheriff and provost marshal, but his subserviency at length excited their contempt, and for some act of negligence the governor gave him a severe caning, after which his name disappeared from the history of the province.

TIMOTHY REED.

Son of Rev. Samuel and Hannah (Shaw) Reed; born, Warwick, Massachusetts, July 10, 1793; Williams College, 1812; practiced, Winchester; died, Barnstable, Massachusetts, 1855.

Mr. Reed studied his profession with his cousin, John Reed of Yarmouth, Massachusetts, and came to Winchester to practice about 1820. In May, 1821, he was admitted in Cheshire County as a counselor of the Superior Court. He probably did not remain in Winchester more than six or eight years, when he removed to Yarmouth, Massachusetts, and became a partner of his law preceptor there for several years. The appointment of clerk of the courts being conferred upon him, he made his home thenceforth in Barnstable. He held also, at various times afterwards, the offices of register of Deeds, register of Probate, and bank cashier.

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Mr. Reed is described as a genial, pleasant gentleman, and is understood to have been a lawyer of some ability.

He was married, about the time of his coming to Winchester, to Susan D. Kinsley of Brattleborough, Vermont, and had two daughters, born in the former town.

JOHN ADAMS RICHARDSON.

Son of Captain Joseph and Sarah (Hanson) Richardson ; born, Durham, November 18, 1797 ; Dartmouth College, 1819 ; admitted, 1823 ; practiced, Durham ; died there, August 25, 1877.

Mr. Richardson was a teacher in Haverhill, Massachusetts, in 1819 and 1820, and read law with John Varnum of that place. He began practice immediately after his admission in his native town, and there passed his life. He was a very social, gentlemanly man, of easy disposition, and with no fondness for the quarrelsome side of his calling. If one of his causes was to be stubbornly contested, he usually called in the aid of Daniel M. Christie to breast the shock of the opposition. But he had a respectable business, which he conducted respectably. He was something of a reader, but in other directions than in the law. In 1846 he was clerk of the state Senate, but by reason of a change in the political complexion of that body was not reëlected. In the later years of his life he was president of the Bar Association of Strafford County.

He married, first, in 1829, Marcia A., daughter of Hon. Alexander Rice of Kittery, Maine; and second, in 1835, Mrs. Frances J., daughter of Hon. Daniel Farrand of Burlington, Vermont, and widow of Rev. Thomas J. Murdock.

THOMAS RICE.

About the time when James Thom quitted Exeter for Londonderry, in 1816, Thomas Rice appeared in the town and succeeded to his law office. He may have been the graduate of that name from Yale College in 1803; but that has not been ascertained. He had but little practice, and lived in the town only a year or two. He appears to have been an accomplished musician, and opened a singing-school in Exeter, and is said also to have given lessons on the violin.

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When he left Exeter he went to Hampton, where he died, "a poor but honorable man," as it was said.

SAMUEL RICE.

Born, c. 1771; practiced, Lebanon and Enfield; died, Lowell, Massachusetts, October 10, 1839.

The birthplace and parentage of this gentleman have not been ascertained. He is said to have studied his profession with Frederic A. Sumner of Charlestown, and to have begun practice at Lebanon in 1804. About 1814 he removed to Enfield and remained there fifteen years, and then returned to Lebanon. In 1836 he left the State and resided in Lowell, Massachusetts, but did not practice there.

Mr. Rice is represented to have been a man of more than ordinary ability, but fleshy and somewhat indolent. He had a fund of humor, and liked to sit and tell stories to his visitors, rather than to put his office in order, and keep it swept clean.

His wife was a smart woman, and no doubt sometimes took her husband to task for his lax ways. One day after she had been giving him a piece of her mind, a neighbor inquired for his family. "Very well, indeed," was the reply, "except Mrs. Rice. She has had a bad breaking out about the mouth this morning!"

Having a case to try in which a man of not the highest reputation was to be an important witness, Mr. Rice interrogated him in advance, and was quite well satisfied with his answers. On the day of the hearing, he called the witness with a confident air, but found that he had experienced a remarkable failure of memory, so that his testimony was wholly for the advantage of the opposite party.

"How did you come here this morning?" inquired Rice. "I rode down with Squire W." (the opposing counsel), was the answer. "It is all accounted for," observed Rice.

Mr. Rice died at the age of sixty-eight. He left a son and four daughters.

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AMASA ROBERTS.

Son of Ephraim and Hannah (Roberts) Roberts; born, Farmington, March 2, 1814; Dartmouth College, 1838; practiced, Dover; died there, May 8, 1877.

Mr. Roberts was a student at law in the office of Charles W. Woodman of Dover, and made his home in that place thereafter. He was town clerk from 1853 to 1856, and register of Probate for the county from 1867 to 1870. His practice was chiefly confined to the work of his office, and he appeared seldom in trials in the courts. He had antiquarian tastes, and was familiar with the ancient records of Dover.

He never married.

JOHN SWIFT ROBY.

Son of Dr. Joseph and Lucy (Park) Roby; born, Charlestown, August 31, 1808; practiced, Lancaster; died there, January 16, 1857.

Mr. Roby was educated at the Kimball Union Academy in Plainfield, remaining there from 1827 to 1829. He was regularly prepared for the legal profession, but is said not to have undertaken the practice of the law until some years after he was admitted, being employed in the mean time in trade. He settled first in Littleton, but afterwards went to Lancaster, and there, for about the last ten years of his life, practiced law, as a partner of Saunders W. Cooper. His work was confined to the office, and he did not appear in court. From 1849 to 1855 he was recorder of deeds for Coos County, and he is said also to have held at some time the appointment of deputy sheriff and various town offices.

Though not noted as a lawyer, he appears to have been a man of some prominence, and to have stood well in the community where he dwelt.

ARTEMAS ROGERS.

Son of Josiah Rogers; born, Billerica, Massachusetts, May 12, 1790; Harvard College, 1809; admitted, 1814; practiced, Henniker; died, Holyoke, Massachusetts, 1865.

Mr. Rogers studied his profession with Joseph Locke of Billerica, Massachusetts, and at the Litchfield Law School, Connecticut,

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and settled in practice in Henniker as early as 1817. He was representative of the town in the legislature in 1823, 1824, and 1826, the first solicitor in the county of Merrimac, and an officer in the Grand Lodge and Grand Chapter of Free Masons. He caused the defeat of a bill proposed in the legislature for the exemption of certain property from attachment by moving an amendment to exempt also six barrels of cider and a horse and chaise for each debtor. The injudicious friends of the bill eagerly adopted the amendment, which of course killed the proposition.

Mr. Rogers was a good lawyer and a useful man. He sold out his business and property in 1832 to Samuel Smith, and removed to Fitchburg, Massachusetts, where in 1835 he met with a serious loss by the destruction of his office and much of its contents by fire. In 1837 he changed his residence to Holyoke, Massachusetts.

He married, November 25, 1813, Lydia, daughter of Thomas Richardson of Billerica, Massachusetts, and had ten children.

ARTHUR ROGERS.

Son of Major Robert and Elizabeth (Browne) Rogers ; born, c. 1770 ; practiced, Concord, Barrington, Pembroke, and Plymouth ; died, Portsmouth, c. 1841.

This son of the famous Ranger was probably quite well educated, and studied for the bar with John Sullivan of Durham, and with his cousin, Edward St. Loe Livermore of Concord, in which town he opened an office in 1793. He removed the next year to Barrington, and in 1797 to Pembroke. About the year 1800 he went to Plymouth for two or three years, and then returned to Pembroke.

His mother had been divorced from her husband in 1778, and afterwards married John Roche, an Irish shipmaster, who lived with her in her house in Concord till his death in 1811. She survived him about a year, and her son, the subject of this notice, then removed to Concord and occupied the place until 1832, when he went to Portsmouth. The latter part of his life he did not attempt to practice law ; in fact, it is said that he was so exceedingly indiscreet and ignorant of his profession that he was unsafe to intrust with business.

Under the blandest manners he was suspected of concealing a tyrannical disposition. One day a neighbor, while passing his

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house in Concord, heard a terrible din inside. He knocked at the door, and Rogers appeared. "What's the matter?" inquired the neighbor. "Nothing, sir," replied Rogers, polite as Chesterfield. "But I heard a terrible outcry, and loud shouting just now in your house." "Oh," replied Rogers in the smoothest tones, "I was just reading Mrs. Rogers a little Greek; that 's all."

His wife was Margaret Furness of Portsmouth, and they had six sons and a daughter.

CHARLES RAMSAY ROGERS.

Son of Charles and Pamelia (Ramsay) Rogers; born, Orford, August 25, 1823; admitted, 1847; practiced, Barnstead; died, Burlingame, Kansas, November 20, 1883.

Obtaining his education at the academies in Haverhill and in Bradford, Vermont, this gentleman then entered the office of Josiah Quincy of Rumney, and completed his law studies in 1847. He chose Barnstead as his location for practice, and continued there about three years, in which time he formed a warm friendship with Franklin Pierce. Then, in 1850, being invited to Paterson, New Jersey, he went thither, first in the capacity of a teacher in the public schools, and afterwards as a legal practitioner. In 1854 he removed to La Crosse, Wisconsin, and practiced till the breaking out of the war of the Rebellion, holding in that period the office of district attorney and other public stations, and delivering lectures upon education.

He then enlisted and served two years in the Second Wisconsin Cavalry, from which he was discharged for disability; and in 1864 went to Bradford, Vermont, for three years. In 1869 he entered into partnership with his brother, James Rogers, in his law practice in Burlingame, Kansas, and so continued till his death from paralysis. He is described as "a man of good ability, genial in disposition, and a brilliant talker."

His wife was Fanny Clark of Paterson, New Jersey, and they had one daughter.

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DANIEL ALLEN ROGERS.

Son of Rev. Daniel and Phebe (Tibbetts) Rogers ; born, Columbia, September 11, 1828 ; admitted, 1853 or 1854 ; practiced, Colebrook ; died, Newbury, Vermont, July 11, 1881.

Mr. Rogers received a good education at the academy in Farmington, Maine, and, while teaching schools in winters in the neighboring towns, prepared himself for the bar in the office of Lyman T. Flint in Colebrook, where he commenced in 1854 to practice with success. He was postmaster of the town for several years, and then, after a year's sojourn in St. Johnsbury, Vermont, settled in Wells River village, in Newbury in that State, where about the year 1861 he became the partner of C. B. Leslie. In 1872 he was chosen a representative from Newbury in the General Assembly of Vermont for two years ; he was also one of the selectmen of the town for a like period, and for several years before his decease one of the prudential committee of the graded school district of Wells River. In 1876 he was elected state's attorney of Orange County, and performed the duties of the office meritoriously, as he did those of the various stations he was called upon to occupy.

He married, in November, 1855, Sarah A., daughter of Samuel B. Cooper of Beloit, Wisconsin, whom he left with four children.

JOHN ROGERS.

Son of Nathaniel and Eunice (Allen) Rogers ; born, Orford, May 11, 1782 ; admitted, 1810 ; practiced, Orford ; died there, December 28, 1859.

Having labored upon his father's farm until his majority, Mr. Rogers by his own exertions succeeded in obtaining the instruction needed for entering the legal profession, studied in the office of Jeduthun Wilcox of Orford, and in that town commenced to practice. He was a substantial though not a showy lawyer. The collection of claims constituted the bulk of his business, and he was very successful. After some years that source of income fell off, and his inclination for the cultivation of the soil returned. He abandoned the law and retired upon his farm. His townsmen availed themselves of his abilities and experience by electing him repeatedly to important town offices and as representative in the

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legislature. He also did some business in Probate matters, as guardian, etc. He was exemplary in all the relations of life, and joined the Methodist Church, after a critical examination of the tenets of the various denominations.

May 8, 1810, he married Lucy Swinnerton. Of their children, one son, William, was a lawyer in Boston, Massachusetts.

JOHN A. ROGERS.

This attorney is said to have been a native of Boscawen, and began to practice law in Gilford in 1837, as a partner of Lyman B. Walker. By 1840 he had removed from the county, and in 1846 he was said to be in South Hampton. He was not acting as a lawyer there, however, nor has it been learned that he practiced anywhere after he left Gilford.

NATHANIEL PEABODY ROGERS.

Son of Dr. John and Betsey (Mulliken) Rogers ; born, Plymouth, June 3, 1794 ; Dartmouth College, 1816 ; admitted, 1819 ; practiced, Plymouth and Concord ; died, Concord, October 16, 1846.

The family of Rogers, to which this gentleman belonged, has been a very distinguished one for talents and learning, especially in the early history of this country. Nathaniel P. Rogers inherited the talents and acquired the learning which entitled him to scarcely a second place among the best of his name. His three years of legal study he passed in Salisbury, in the offices of Richard Fletcher and of Parker Noyes, and settled in practice in Plymouth. He was a brilliant and successful lawyer, looking jealously after the interests of his employers, leaving no stone unturned to promote their advantage; a ready and accurate draftsman, a sound pleader, and an eloquent and effective advocate. He might have placed himself at the very summit of reasonable legal ambition in the State, had he devoted his life to his profession. But he was born for the rôle of a philanthropist. The feeling of abhorrence of the cruelty and wickedness of African slavery began to show itself in the Northern States while he was a young man, and readily found entrance into his tender and chivalrous heart. He became an abolitionist, and was too conscientious and outspoken a man to hide his convictions. He wrote

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trenchant articles for the press, and was soon in sympathetic communication with Garrison and the other pioneers in the anti-slavery movement. In 1838 he left his valuable law practice in Plymouth and went to Concord to take the editorial charge of the "Herald of Freedom," a newspaper established there in 1835 to advocate the emancipation of the negro slave. To that journal he had been a contributor from its foundation. He wrote with rapidity and ease, and was master of a most pure and natural style. Many of his descriptive articles had appeared in New York and other journals, and were widely copied and admired. His editorials in the "Herald of Freedom" were original, fresh, eloquent, and logically unanswerable. But the cause he championed was unpopular, the circulation of his paper was small, he was rowing against the current and made little headway. His reward was to be posthumous.

Besides his abolition sentiments, he took advanced ground on the subject of temperance, the rights of women, the unjustifiableness of war, and personal non-resistance; none of which doctrines were at that time palatable to the masses. In 1840 he was sent by the abolitionists of the State as a delegate to the World's Anti-Slavery Convention in London, England. Learning that several American women who went as delegates were not to be allowed their seats in the convention, he withdrew, and would have no further part in it. On his return to America he found his name at the head of the "Anti-Slavery Standard" of New York as its editor. He declined the position, though he furnished contributions for a year to its columns. He was also solicited in 1846 to edit the "Pioneer," an anti-slavery paper in Lynn, Massachusetts, but the condition of his health obliged him to abandon the idea. He had literally worn himself out by unremitting labors, of which he could as yet see but little fruits. As the autumn drew on his life powers decayed, and he sank gradually to his final rest, expressing the wish that no stone should be set up at his grave so long as slavery should continue to exist in the land. He needed no monument, for his memory will live with those of the other pioneers in the great cause of universal freedom with whom he was associated.

All who knew Mr. Rogers were united in attributing to him the highest ability and the most admirable personal qualities. He was fond of nature, and knew all varieties of trees and birds and

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fishes. He took delight in all manly exercises, as of wrestling and football. He was a great reader of the choicest works in literature. His voice was sweet, and he sang, and played upon the violin delightfully. Before he gave his life to the cause of philanthropy he had written charming articles for the press, descriptive of the scenery of his native region. His signature was "The Old Man of the Mountain," a term which he had applied to the Profile, at Franconia. It was said of him that he manifested "the genial humor of Lamb, and more wit." Some of his writings are preserved in print in a small volume issued in 1849, with a biographical introduction by Rev. John Pierpont. He was peculiarly happy in his domestic relations. His wife was Mary Porter, daughter of Hon. Daniel Farrand of Burlington, Vermont. They were married January 31, 1822, and had daughters.

STEPHEN SEWALL ROGERS.

Son of Rev. John Rogers; born, Leominster, Massachusetts, October 5, 1760; practiced, Loudon (and Dunbarton ?); died, Dunbarton, December 23, 1794.

Few particulars have been learned of this gentleman, whose stay in this State was but brief. He was evidently somewhat acquainted with Latin, and probably had taken a classical course of study, though he was not a college graduate. He read for admission to the bar with Peter Green of Concord, and settled in Loudon, probably not far from 1786. The duration of his legal practice could not have been above eight years.

His wife was Martha, daughter of Dr. Philip Carrigain of Concord.

EDWARD ASHTON ROLLINS.

Son of Hon. Daniel G. and Susan B. (Jackson) Rollins; born, Wakefield, December 8, 1828; Dartmouth College, 1851; admitted, 1854; practiced, Somersworth; died, Hanover, September 7, 1885.

On the recommendation of the president of his college, Mr. Rollins after his graduation became tutor in a private family in Baltimore, Maryland; and in that city, in the office of Wells and Bell in Somersworth, and at the Harvard Law School, he prepared himself for the bar. He practiced in Great Falls Village in

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Somersworth from 1854 to 1863, except a year or two when he was cashier of the Somersworth Bank. In 1860 and the two following years he was a representative in the legislature, and was twice elected to the Speaker's chair. In the spring of 1863 he received the appointment of Cashier of the Internal Revenue, and took up his abode in Washington, District of Columbia. The next year he was promoted to the office of Deputy Commissioner, and the year following to that of Commissioner of the Internal Revenue, which position he filled till his resignation in 1869. He then removed to Philadelphia, Pennsylvania, and was appointed vice-president, and afterwards president, of the National Life Insurance Company. He resigned the post in 1874, and spent a year or more in traveling in Europe with his family. On his return he was instrumental in establishing the Centennial National Bank in Philadelphia, and in 1876 became its president. That position he held up to the close of his life.

Mr. Rollins performed the multifarious and difficult duties of the various stations which he filled with great efficiency and credit. He had the faculty of turning off his work with little friction. His cheerful disposition endeared him to those associated with him. He was a lover of reading, and surrounded himself with good books. His home was the abode of well-doing and well-being. His gratitude to the institution in which he was educated was manifested by his noble gift to Dartmouth College of the beautiful chapel which bears his name.

His wife was Ellen, daughter of Josiah H. Hobbs, Esquire, of Wakefield. They were married September 26, 1855, and three of their six children survived their father.

JAMES SAMUEL ROWE.

Son of Samuel and Olive (Rundlet) Rowe ; born, Exeter, October 20, 1807 ; Bowdoin College, 1826 ; practiced, Dover ; died, Bangor, Maine, March, 1884.

Mr. Rowe was a pupil of Dr. Abbot at the Phillips Exeter Academy, and after the completion of his collegiate course studied law with George Sullivan in his native town. He began to practice in Dover as early as 1830, and remained there six or seven years. He then removed to Bangor, Maine, his future home. In the almost half a century that he pursued his profession there he acquired the highest reputation, as " one of the best-read lawyers

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in the State, a fine advocate, of unquestioned integrity and worth." Volumes could scarcely add to these condensed words of high commendation. In social life he was most courteous and affable.

He was married in 1857 to Miss Goss of Bangor, Maine.

IRA ST. CLAIR.

Born, Gilmanton, August 9, 1796; admitted, 1824; practiced, New Hampton and Deerfield; died, Deerfield, April 5, 1875.

Ira St. Clair (or Sinclair, as his name was originally spelt) had not the advantage of a collegiate education. He studied his profession with Stephen Moody of Gilmanton and Stephen C. Lyford of Gilford, and began practice in 1824 in New Hampton. After a few months he changed his residence to Deerfield. He was chosen representative in the legislature, and, at a later date, received the appointment of bank commissioner. In 1848 he was commissioned Judge of Probate for the county of Rockingham, and filled the office eight years.

He was a lawyer of more than average ability and attainments. He laid much stress on technical points, and his administration of probate business was quite in contrast to the loose manner in which it has sometimes been conducted. But he was thoroughly honest, and no complaint was ever heard that his decisions were influenced by improper motives.

The historian of Deerfield describes him as "a man of upright character and sound judgment, a safe counselor and firm friend."

His first wife was Anna S., daughter of Thomas Jenness of Deerfield, who died in 1845. In the following year he married Eliza E., daughter of James B. Creighton of Newmarket. He left no children.

CHARLES PRESCOTT SANBORN.

Son of James and Lydia N. (Prescott) Sanborn; born, Concord, September 12, 1834; admitted, 1860; practiced, Concord; died there, June 3, 1889.

Mr. Sanborn was three years in Yale College, which he entered in 1852; but for some reason he never graduated. For a few years afterwards he was a teacher, and then prepared himself for the bar in the office of Henry A. Bellows of Concord. On

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his admission he was received at once as a partner of John H. George and William L. Foster, in a practice which became large and remunerative.

He was elected a representative from Concord in the legislatures of 1862 and 1863, and in 1875 and 1876, in both which last-named years he was chosen Speaker of the House. From 1871 to 1880 he was city solicitor. Several years he was a member of the board of education, and for a long period and up to his decease held the position of clerk of the Concord and Claremont Railroad.

He possessed uncommon intellectual powers. His legal learning was sufficient, accurate, and ready to his hand, and in its application he lacked neither sagacity nor judgment. Taking part in many trials, not seldom the leading part, he conducted his cases ably and skillfully. While city solicitor he was employed in the work of codifying the ordinances; and subsequently he edited a new issue of the "New Hampshire Justice and Sheriff."

He had numerous warm and constant friends. With the self-command to abstain from stimulants, there was almost no position in the law to which he might not have aspired.

He was married, May 26, 1862, to Stella L., daughter of Hon. Henry A. Bellows of Concord, who died a few years later; and May 20, 1872, he married her sister, Frances A. Bellows, and left her a widow with two sons and a daughter.

CHARLES WILLIAM SANBORN.

Son of Hon. John W. and Almira J. (Chapman) Sanborn; born, Wakefield, December 19, 1849; Dartmouth College, 1872; practiced, Wakefield; died there, January 17, 1886.

Mr. Sanborn was prepared for college at the Phillips Exeter Academy, and for some years after his graduation was a lumber dealer and surveyor in his native town. He was admitted to the bar in 1880, having studied under the direction of Luther D. Sawyer of Wakefield, George W. Burleigh of Somersworth, and Charles Doe of Dover. He practiced in Wakefield until his decease. Several years he was superintending school committee of the town. In natural endowments and general culture he was excelled by few, and a distinguished career was predicted for him. But he had scarcely begun to show the early fruits of his cultiva-

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tion when he was attacked by consumption, against which no treatment could avail.

He married, December 29, 1872, Addie E., daughter of Samuel H. Smith of Wakefield, who outlived him.

CYRUS KING SANBORN.

Son of Ezekiel and Abigail (Chamberlain) Sanborn; born, Brookfield, October 30, 1818; admitted, 1849; practiced, Wakefield and Rochester; died, Rochester, October 11, 1886.

Mr. Sanborn obtained a substantial education at the academies in Wakefield and in Limerick, Maine, and became a school teacher in his native town and vicinity until he began the study of the law with Josiah H. Hobbs of Wakefield, about 1846. In 1848 and 1849 he continued his studies at the Harvard Law School, and upon his admission began to practice in Wakefield, as a partner of Mr. Hobbs. In about two years he removed to Rochester, his subsequent home. He was chosen in 1846, while a law student, assistant clerk in the state House of Representatives; from 1858 to 1861 he was a bank commissioner; and in 1867 and 1868 representative from Rochester. Having in his younger days a great interest in military matters, he was advanced to the command of a militia regiment, and bore the title of colonel.

He was a careful, sagacious, painstaking lawyer. The operations of his mind were not rapid, and he did not move without taking full time for consideration. He was a persistent, tireless worker; his day was not limited to eight hours, but extended well into the night. His opinions were matured and commanded respect. Though he had the power of clear, strong statement, he was not ambitious to appear as an advocate. He was frank and straightforward in his intercourse with all, pleasant in his temper, but tenacious of the rights and interests of his clients. In social life he was always ready to contribute his share to the amusements of the hour. For the observances of religion he manifested much respect, and not long before his death united with the church.

Colonel Sanborn's first marriage took place in 1851, with Sarah H., daughter of Josiah H. Hobbs of Wakefield. She died in 1879, and he married in 1881 Mrs. Mary S. Sargent, who survived him. By his first marriage he had a son and two daughters.

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AARON FLINT SAWYER.

Son of Nathaniel and Jerusha (Flint) Sawyer; born, Westminster, Massachusetts, April 24, 1780; Dartmouth College, 1804; admitted, 1807; practiced, Mont Vernon and Dunstable (Nashua); died, Nashua, January 4, 1847.

This was a younger brother of William Sawyer of Wakefield, and endowed with like sound moral and intellectual fibre. He was trained for the law as a clerk of Charles H. Atherton of Amherst, and opened an office in Mont Vernon, where he practiced for near a quarter of a century. He was highly esteemed as a thorough and reliable lawyer and a worthy citizen. He was chosen to represent the town in the legislatures of 1827, 1828, and 1829.

In 1831 he moved to Dunstable, then rising into importance as a manufacturing place. There he fully maintained his leading position, socially and legally. He is described as "a gentleman of the old school, of warm and generous impulses, and a devoted and active Christian." The year before his death he was a representative in the legislature from Nashua.

April 20, 1811, he was married to Hannah, daughter of Dr. Samuel Locke of Fitchburg, Massachusetts, a woman of very superior traits of character. They had four children, of whom the two sons, Samuel L. and Aaron F. Sawyer, became judges, the one of the highest court in Missouri, the other in that of New Hampshire.

LUTHER DEARBORN SAWYER.

Son of Timothy and Sarah (Dearborn) Sawyer; born, Wakefield, March 7, 1803; Bowdoin College, 1828; admitted, 1832; practiced, Ossipee, Sandwich, Dover, and Wakefield; died, Wakefield, July 10, 1884.

At the age of eighteen Mr. Sawyer was admitted to the Phillips Exeter Academy, and remained till 1825, when he entered college at advanced standing. One year he was engaged in teaching the academy in Belfast, Maine, at the same time reading law under the direction of Bohan P. Field; he then finished his legal studies with Sawyer and Hobbs in Wakefield. His first venture in practice was at Ossipee for a few months; next he took the office of

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Ira A. Bean in Sandwich, while the latter went for a year into the Western country. From 1834 to 1859 he practiced in Ossipee; then in Dover for four years; afterwards in Massachusetts about the same period; after which he returned to his native town, and spent the residue of his life there, in the old homestead of his father.

He was by nature of a brisk, stirring temperament, not averse to change or to new surroundings. His disposition was sanguine, and he preserved his youthful spirits and bodily activity to the end of his long life.

He held various public positions: was assistant clerk of the state Senate in 1846; solicitor of Carroll County from 1857 to 1862, and several times by special appointment afterwards; representative from Ossipee in 1859 and 1860, and a member of the committee on the Judiciary; and police justice of Watertown, Massachusetts.

Mr. Sawyer was a shrewd observer of men and character. He was a reader too, and, as his memory was tenacious and ready, was a most entertaining companion. He had seen and known in his prolonged experience many of the ablest men of the New Hampshire bar, and had "taken stock" of their peculiarities. Having made up his mind that the happiest were those who wore the harness to the last, he adopted that course himself, and attended nearly every term of the courts in the county where he lived, from the time of his admission to the day of his death; and continued to do such business as offered, to the end.

He married, in 1843, Lydia Hanson of Sandwich. They had two sons, and she died in 1853. In 1857 he married Miss Chamberlain of Marblehead, Massachusetts, with whom he lived till her death in 1876.

THOMAS SAWYER.

Son of Thomas and Betsey Sawyer; born, Reading, Massachusetts, December 31, 1781; Dartmouth College, 1805; admitted, 1809; practiced, Dover; died, North Reading, Massachusetts, March 14, 1826.

This gentleman was a resident of New Hampshire but a short time after completing his legal education. About 1805 he entered the office of Henry Mellen of Dover as a student, and succeeded to his business in the year 1809. It is probable that he remained there little more than a year, if so long.

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He afterwards practiced his profession in Camden, Maine, and subsequently in North Reading, Massachusetts, where he died.

THOMAS ELLWOOD SAWYER.

Son of Stephen and Mary (Varney) Sawyer ; born, Dover, November 21, 1798 ; admitted, 1825 ; practiced, Dover ; died there, February 27, 1879.

The parents of Mr. Sawyer belonged to the Society of Friends. He probably obtained his early education in the schools of Dover, and pursued his legal studies under the direction of Charles Woodman and James Bartlett of that town. His life-long residence was in Dover.

He began his political life in 1822, while yet a student at law, by serving as assistant clerk of the state House of Representatives. In 1830 and 1831 he was a member of the executive council, and in 1832 a representative in the legislature, to which he was subsequently reëlected for nine, though not consecutive, years. In 1850 he was a delegate in the constitutional convention, and in 1851 and 1852 he was the candidate of the Whig party for the gubernatorial chair. In his own town he was for half a century a member of the superintending school committee, and for many years moderator of the annual town meetings ; and when Dover arrived at the dignity of a city charter, he served as mayor. In 1867 he was appointed register in bankruptcy, under the United States statute.

The chief characteristics of Mr. Sawyer were his honesty, his sound common sense, and his well-balanced judgment. As a public officer he was the object of no hostility and of little criticism, and as a lawyer his opinions were generally deferred to. He never allowed himself to be hurried or excited, and had a remarkable gift of seeing things as they were. He was diffident, rarely appearing in the higher courts, and blushed like a young girl when called upon to say anything in public. A large part of his legal business was that of auditor or referee, in which his qualifications were of the highest character. He probably presided at a greater number of hearings in those capacities than any other member of the bar in his county. He was universally trusted and respected.

He left a widow, three sons, and a daughter.

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WILLIAM SAWYER.

Son of Nathaniel and Jerusha (Flint) Sawyer ; born, Westminster, Massachusetts, October 26, 1774 ; Harvard College, 1800 ; admitted, 1803 ; practiced, Wakefield ; died there, July 5, 1860.

Mr. Sawyer, being the son of a farmer in moderate circumstances, taught schools in his vacations to pay his college expenses. He studied law with Henry Mellen of Dover, and made his life-long home in Wakefield, where he was in the active practice of his profession over a quarter of a century. He was well read, sagacious, and practical; not distinguished as an advocate, but still employed in not a few important contested causes. The business of collecting debts was then the chief reliance of country attorneys, and the letting of money on note or bond and mortgage their method of investment. Mr. Sawyer was skillful and vigilant, and acquired reputation and property. In his causes that came to trial he usually had the assistance of Daniel Webster or Jeremiah Mason, preferring the former because "he could see through a case more quickly," though considering the latter the greater lawyer.

He was a man of a high sense of personal dignity. In an altercation with a pettifogger in open court, the latter accused him of falsehood. Sawyer instantly seized him by the throat and flung him on the floor. The other, meanwhile, cried lustily for the protection of the court. "No court, short of that of heaven, shall protect a man who insults me with a charge of falsehood!" shouted Sawyer.

His integrity and moral character were without a blemish. He was known as an "honest lawyer," and he merited the title. For many years he was chosen annually the president of the bar in his county. His kindly feelings and generosity made him abundant and strong friends. It is related of him that a brother lawyer who had become embarrassed in his circumstances was tempted to decamp from his creditors and thus bring ruin upon his reputation. Mr. Sawyer, suspecting his intention, dissuaded him from the step, and lent him money to tide over his difficulties and enable him to recover himself.

He married, about the year 1804, Mary, daughter of Captain Hopley Yeaton of Portsmouth, who bore him three sons and two daughters.

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STEPHEN SCALES.

Son of Rev. James Scales ; born, Concord, October 16, 1741 ; Harvard College, 1763 ; practiced, Concord ; died, Chelmsford, Massachusetts, November 5, 1772.

Mr. Scales was a tutor in Harvard College from 1767 to 1770. Edmund Trowbridge and Francis Dana were his instructors in the law, and he commenced practice in his native town in 1770 or 1771, being the second lawyer of Concord, apparently. After a short time he removed his residence to Chelmsford, Massachusetts, where he seems to have gained the warmest friends. A stone marks the spot of his burial in that town, on which is a Latin inscription, concluding with these lines from Horace : —

> "O, mi amice,
> Vitæ summa brevis ; spem nos vetat inchoare longam ;
> Jam et premit nox."

ALBERT SMITH SCOTT.

Son of William and Phylinda (Crossfield) Scott ; born, Peterborough, May 8, 1824 ; admitted, 1859 ; practiced, Jaffrey and Peterborough ; died, Peterborough, 1877.

Fitted for college at the academy in Hancock and at the Phillips Exeter Academy, Mr. Scott entered Dartmouth College in 1845, but by reason of the death of his father he was obliged to leave it at the end of his sophomore year. For a time afterwards he was employed in teaching, and then returned to his native place and commenced the study of medicine with Professor Albert Smith; but finding it not to his liking, became a student of the law in the office of Messrs. Dearborn and Cheney of Peterborough. He began to practice law in the East village of Jaffrey in 1861, but returned to Peterborough in a short time, and there built up a valuable practice and acquired a high position in his profession. He continued in the practice of law throughout his life, with the exception of a few years when he was cashier of the First National Bank of Peterborough.

He was the representative of his town in 1855, 1857, 1866, and 1867, and was chosen councilor in 1875 and 1876. Dartmouth College gave him the honorary degree of A. M. in 1868; and he

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was appointed a trustee of the Agricultural College in 1877, the year of his death.

He was distinguished for his public spirit, being always ready to serve the community, as well as for his kindness of heart, his social virtues, and his sound principles.

He married Anna, daughter of Abial Sawyer of Peterborough, November 25, 1851, by whom he had three children.

SAMUEL SELDEN.

Son of Joseph and Susanna (Smith) Selden ; born, West Hartford, Connecticut, 1781 (?) ; Dartmouth College, 1805 ; practiced, Lebanon ; died, Liberty, Michigan, 1868.

This gentleman studied his profession with Aaron Hutchinson of Lebanon, and settled in practice there as early as 1809. He remained twenty years, and then removed to Royalton, Vermont, and took charge of a farm. In 1836 he sold his farm and emigrated to Liberty, Jackson County, Michigan, being one of the earliest settlers in that region. During the remainder of his life he was chiefly engaged in farming.

While an inhabitant of Lebanon he was selectman in 1815, 1816, and 1817, representative in 1816, 1817, and 1824, and moderator from 1822 to 1830. Apparently he was no enthusiast in his profession. He delighted in the open air, and worked in his field bareheaded and barefooted. He was a confirmed disciple of Izaak Walton, and waded the brooks and streams in pursuit of the wary trout. He is described as short and stout in person, and jolly in his disposition, full of fun, and always ready with a good story.

His first wife, married June, 1811, was Louisa, daughter of Major Jabez Parkhurst of Royalton, Vermont ; after her death he married Fanny, her sister.

JONATHAN MITCHELL SEWALL.

Son of Mitchell and Elizabeth (Price) Sewall ; born, Salem, Massachusetts, 1748 ; practiced, Portsmouth ; died there, March 29, 1808.

The parents of Mr. Sewall died in his childhood, and he was apprenticed to mercantile business. On approaching manhood he was compelled, by the weakness resulting from fever, to visit

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Spain, and while there met with such heroic medical treatment that he never fairly recovered from the effects of it. Returning home, he studied law with his cousin, Jonathan Sewall of Boston, Massachusetts, and with John Pickering of Portsmouth. In 1773 he was appointed by Governor Wentworth register of Probate for Grafton County, and major in the militia, but soon returned to his profession in Portsmouth. He was probably a fairly well-read lawyer, and his talents and eloquence made amends for all other defects. He was frequently employed in defending criminals, and rarely lost a verdict. In 1778 he might have been attorney-general, but he declined the office, on account of his repugnance to the duties of public prosecutor. His practice was rather productive of reputation than of pecuniary returns, however, so that in later life he was somewhat straitened in his circumstances.

It is as a poet, however, more than as a lawyer, that Sewall will be remembered. He was the author of the couplet, —

> "No pent-up Utica contracts your powers,
> But the whole boundless continent is yours,"

which belongs to the household words of our literature. His song of "War and Washington" was heard round the camp-fires of the Revolution. At a later period he produced a versification of Washington's "Farewell Address," and a metrical parody on Elwyn's "Letter to a Federalist." He delivered a Fourth of July address in 1788, a eulogy on Washington in 1800, and published a volume of verse in 1801. It was perhaps the timeliness, as much as the inspiration, of his poems that gave them their popularity.

Mr. Sewall's health suffered as he increased in years; and to relieve his nervousness and hypochondria, he resorted to stimulating beverages, which of course only afforded temporary alleviation, although they fixed upon him habits that he never overcame. But his friends loved him none the less, and appear never to have lost respect for him. The lady who became his second wife, when remonstrated with on her engagement to a man of his habits, replied, "I would rather marry Mr. Sewall drunk than any other man sober." One who inspired such sentiments could never have been regarded as a victim of sensuality.

He had two wives; the latter of them was Sarah March. He had several daughters, who outlived him.

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CHARLES BURNHAM SHACKFORD.

Son of Major Samuel B. and Martha (?) (Hale) Shackford ; born, Barrington, December, 1840 ; Bowdoin College, 1863 ; practiced, Conway and Dover ; died, Dover, January 2, 1881.

Mr. Shackford prepared himself for the bar in the office of Samuel M. Wheeler of Dover. In 1864 and 1865 he was the assistant clerk, and in 1866 and 1867 the clerk, of the New Hampshire House of Representatives. He is said also to have held the appointment of clerk of the Municipal Court of Boston, Massachusetts. About 1870 his name appears as a practitioner of the law in Conway, where his father had for many years been living. In 1873 he established himself in Dover. Three years afterwards he was commissioned solicitor for the county of Strafford, and he was elected to the same office in 1878 and in 1880.

In all his business relations, public and private, he is described as diligent, attentive, and trustworthy, — a faithful official, a sound and able lawyer, and a good citizen and true man.

It was a singular coincidence, worthy of the attention of psychologists, that in his last hours he expressed his conviction that his father, then in Chelsea, Massachusetts, was dying, though he had no information of the fact. It proved that at that very time his father was breathing his last, his death preceding that of his son by about six hours only.

Mr. Shackford married, in 1868, Caroline, daughter of Moses A. Cartland of Lee, and had two sons and a daughter.

CUTT SHANNON.

Son of Nathaniel and Abigail (Vaughan) Shannon ; born, Portsmouth, August 17, 1717 ; practiced, Dover and Portsmouth ; died, Portsmouth, December 12, 1763.

Mr. Shannon's maternal grandfather was William Vaughan, a royal councilor, and Chief Justice of the Superior Court of the province. The grandson, after acquiring his education under private instructors in Portsmouth, was admitted an attorney about 1739, and for some years practiced his profession in Dover. He was chosen to various town offices in Portsmouth, but filled no

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important official station. He had no liking for his profession, but probably was somewhat employed as counsel, conveyancer, and the like. He was apparently in easy circumstances, and left at his death a gold watch, silver plate, a slave, books appraised at sixty pounds, and the inventory of his estate aggregated £13,953 old tenor.

He was married, December 3, 1741, to Mary, daughter of Lieutenant-Governor George Vaughan. They had seven children, of whom the eldest was a lawyer.

RICHARD CUTTS SHANNON.

Son of Cutt and Mary (Vaughan) Shannon; born, Portsmouth, May 9, 1743; died, Newcastle, April 7, 1821.

This gentleman was a pupil of the celebrated Master Hale of Portsmouth, and at a suitable age went into a counting-room in Portsmouth, to receive a mercantile training. This was in accordance with the desire of his father. But he had a strong liking for the law, and after some years studied that profession with Samuel Livermore in Portsmouth. He was chosen one of the attorneys of the town in 1774, but the next year removed to Hollis. Many of his associates in Portsmouth being loyalists, he did not sympathize with the sons of liberty in the early part of the Revolution, and found himself in 1777 the inmate of the jail at Exeter, with others of like sentiments. In order to procure his enlargement, he was compelled to give bond for his good behavior, etc. There is reason to believe that he experienced a decided change of sentiments after his incarceration, for in 1782 and in 1783 he was chosen by the patriotic citizens of Hollis to represent them in the state legislature.

Governor Plumer relates that in 1784 William Coleman, afterwards the distinguished editor of the New York "Evening Post," went to Hollis with the intention of studying law with Mr. Shannon, and found him an easy, good-natured man, but not above mediocrity as a scholar and lawyer, and with but a mere apology for a library.

Mr. Shannon left Hollis for Amherst, where he received a justice's commission in 1785, was living in Raby, now Brookline, in 1791, and returned to Portsmouth in 1794. Though he was certainly not remarkable for acuteness, if we may credit tradition,

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yet he obtained a fair share of business, and through Governor Langdon's influence received, in 1804, the appointment of clerk of the Circuit and District Court of the United States. He resigned the office in 1814.

It seems he was noted as what is called a "good liver." Daniel Webster, while he was a resident of Portsmouth, amusingly hit off this peculiarity in a good-natured epitaph which he wrote for Shannon: —

"Natus consumere fruges,
Frugibus consumptis,
Hic jacet
R. C. S."

His wife was Elizabeth Ruggles of Boston, Massachusetts, and he was the father of ten children.

AMOS BLANCHARD SHATTUCK.

Son of Brooks and —— (Peavey) Shattuck; born, Lowell, Massachusetts, June 24, 1834; Williams College, 1856; admitted, 1857; practiced, Manchester; died near Fredericksburg, Virginia, December 17, 1862.

Mr. Shattuck was fitted for college at the academy in Francestown. He studied law in the office of Daniel Clark of Manchester, and began practice in Manchester with every prospect of success. But when the war of the Rebellion broke out, and call after call was made upon the patriotism of the young men of the North, he could not remain quietly at home, while it was in his power to render service in the field. When the Eleventh Regiment of New Hampshire Volunteers was organized, he was mustered into the military service of the United States as captain of Company E. Leaving his young wife and child, he proceeded with the regiment to the front. Three months from the time they left New Hampshire, they were confronted with the rebel troops, intrenched on Marye's Heights opposite Fredericksburg, Virginia, and, with a courage and resolution that won them the warmest praise of the commanding general, advanced through the "fire infernal," and for hours held the slope beneath the enemy's line, which was simply impregnable.

Among the one hundred and ninety casualties of the regiment on that terrible day, Captain Shattuck was wounded; at first it was thought not fatally, but in four days afterwards he breathed

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dition against Rhode Island. One morning while at breakfast in his tent a chance cannon shot fractured the bones of his leg, which had to be amputated.

Shortly after the close of the war he appeared as an attorney at law in Portsmouth, having acquired the needful preparation in the office of John Pickering of that place.

On the opening of the Federal courts in Portsmouth in 1789, Mr. Sherburne received the appointment of district attorney, which he held until 1793.

In 1790 he was elected a representative in the legislature, and served two or three years, a part of the time as Speaker. In 1793, and again in 1795, he was chosen a member of the lower House of Congress, four years in all. A further term of one year in the state legislature in 1801 completed his political career.

In 1802 he was a second time appointed district attorney of the United States, and exercised the office until 1804. As a practicing lawyer he was lacking in self-control. Above mediocrity as an advocate, he could so ill bear contradiction or interruption, that his anger on such occasions often did mischief to his client's interests. It is said that he sometimes flattered the Court and at other times bullied them, as the humor moved him, or as he thought would best promote his own purposes.

Mr. Sherburne's agency in bringing about the removal of Judge Pickering, an unmistakably insane man, by impeachment, always remained in the minds of many a black cloud upon his character. He testified strongly against the respondent, but when summoned for further cross-examination, he absented himself so that he could not be found.

The office of District Judge of the United States, from which Judge Pickering was shamefully ousted, largely through his agency, was bestowed upon him in 1804, and he occupied it during the remainder of his days. His subsequent life is said not to have been happy. He had little enjoyment of the friendship of others, or of his family even. Several years before his death his faculties failed, and there were not wanting those who looked upon this as a judgment upon him for his course against his predecessor in office.

His wife was Submit, daughter of George Boyd of Portsmouth. They had three sons and a daughter.

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JOHN MAJOR SHIRLEY.

Son of John and Joanna (Yale) Shirley ; born, Sanbornton, November 16, 1831 ; admitted, 1854 ; practiced, Sanbornton Bridge (Tilton) and Andover ; died, Andover, May 21, 1887.

The narrow circumstances in which Mr. Shirley's childhood was passed forbade him a systematic education. But he made the utmost of the district schools ; and later, when his own efforts enabled him, he studied in the academy at Sanbornton Bridge, and in the New Hampshire Conference Seminary at Northfield.

From the time he reached fourteen years of age he worked upon the farm, and later at more lucrative pursuits, to contribute to the support of his parents. His father died in 1851, and he maintained his mother until her death in 1871. It was characteristic of Mr. Shirley that though he furnished the writer with a sketch of his life, he was silent respecting this most honorable incident.

He entered the office of Asa P. Cate and Benjamin A. Rodgers at Sanbornton Bridge, to qualify himself for the bar. After his admission he was employed by them for a part of the year, and then he settled permanently in practice in Andover. He continued there for the remainder of his life, having at different periods other partners, generally young men who had been his students. He held various positions there : was postmaster from 1855 to 1859 ; representative in the legislature in 1859 and 1860 ; superintending school committee, 1858 to 1865 ; agent of the town to pay volunteers and aid their families, 1862 to 1865 ; and delegate to the convention to revise the state Constitution in 1876. In 1871 he was appointed state reporter, and performed the duties until 1876.

Mr. Shirley was above all things a lawyer. He exulted in his profession, in its noble purpose, its interesting history, and its extended scope. He believed that no occupation in life afforded the opportunity for conferring more benefit on society than that of the lawyer. His ideal was the highest. He had no admiration for the subtleties of the law nor for its outgrown and unreasonable rules. He would have them modified till they became really the "perfection of reason" as well as of morals. He was a student but not a devotee of the black letter ; he was rather a practical reformer.

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Though faithful and successful in trials at *nisi prius*, he was far more at home in discussing questions of pure law before the Court. He ransacked the lore of the past for precedents and analogies, and some of his briefs were marvels of application and ingenuity. He had wonderful fluency of speech, and a humorous fitness of expression that never failed to attract and hold the attention. His law studies were not confined to his cases; he wrote many articles for the law journals, and delivered several public addresses upon legal topics. The chief of his productions was his "History of the Dartmouth College Causes." This work must have cost him great labor, and his views are wrought out in it with much ingenuity. Whether or not we are prepared to accept his conclusions to the full, we cannot but acknowledge that the production is the work of a thorough lawyer and an honest as well as a very able man.

Mr. Shirley was an earnest working member of the New Hampshire Historical Society and of the American Bar Association, and was elected to the office of vice-president in each. He was long interested in Freemasonry, had taken numerous degrees, and in the Grand Masonic bodies of the State was habitually placed at the head of the committees on jurisprudence and trials.

It was truly said of Mr. Shirley that he was "honest, able, learned, industrious, and courageous." It may be added that he was courteous, kind, honorable, persistent. It was necessary to know him well to appreciate him. He had a little of the extravagance of expression of Boythorn, that had to be made allowance for. But beneath his little eccentricities, the man was as true as steel. His health was never strong, and he worked with all his might while his day lasted. He wore himself out, but left behind him a memory fragrant with kind feeling, devotion to duty, and high achievement.

He was married, February 17, 1870, to Emroy E., daughter of Rev. Thompson Barron, at Newport. They had three children, two sons and a daughter.

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JOHN HANCOCK SLACK.

Son of John and Betsey (Ide) Slack ; born, New London, June, 1789 ; Dartmouth College, 1811 ; practiced, Andover, Goffstown, Pembroke, and Hill ; died, Loudon County, Virginia, August 2, 1857.

Having studied law with Moses P. Payson of Bath and John Harris and Baruch Chase of Hopkinton, Mr. Slack was admitted, in 1817, and practiced successively in Andover, Goffstown, Pembroke, and New Chester (now Hill), and perhaps in other places. The simplicity of his nature and his lack of sound judgment forbade his gaining the entire confidence of the people in his legal ability, and he eked out his subsistence by teaching. Somewhere about 1830 he was living in Canada, and in 1834 he traveled through a part of the United States, soliciting contributions for a Protestant high school in that province. He was living on the fat of the land, and some of the ministers in Essex County, Massachusetts, investigated his authority to collect money for the purpose, and pronounced that he had unparalleled impudence! Slack criticised the strictures that were made upon him as *unclassical*, — the unpardonable fault in his eyes. He did, however, succeed in obtaining the means to establish a classical academy in Georgetown, in the District of Columbia, and was engaged in teaching there a number of years ; thence he removed to Fairfax County, Virginia, and at length to Loudon County, where he died. He was an excellent scholar and a successful instructor.

While he was practicing in Andover he brought a suit in trespass before a justice of the peace, upon this state of facts: A., having set a steel trap on his own premises to catch a fox, caught a wild-cat instead, which, being a powerful animal, dragged the trap off into B.'s grain-field, where B. secured the creature and killed and skinned it. Slack's action was in favor of A. against B. for taking and carrying away his trap and the skin of the wild-cat. Richard Fletcher of Salisbury appeared for the defendant, and contended that the action was misconceived, and should have been trover, which could only be sustained after a demand had been made ; that B. found these articles on his own land, and would no doubt have returned them to the owner on demand, etc. Poor Slack was overawed and silenced, and retired from the field with the remark that "he would rather face the wild-cat than Fletcher."

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While Mr. Slack was a resident of Pembroke, he brought an action in the newly organized county of Merrimac against a delinquent client, for his fees. When the case was called Slack proposed to have it continued; and the Court inquiring who appeared for the defendant, it was found that Slack's name was entered as his attorney. This led to inquiry, and, the writ being produced, disclosed the fact that Slack was plaintiff, indorser of the writ, and had become bail for the defendant, whose body had been arrested. Judge Richardson, who was more amused than indignant, because he knew the lawyer was weak but not wicked, inquired of Slack why he became bail for the defendant. "Nobody else would bail him," was the reply, "and I thought he never would pay me if I sent him to jail." The judge smiled, and directed his appearance for the defendant to be struck off, and the action was defaulted.

His only published literary production which is known was an oration before the Washington Benevolent Society at Hopkinton, July 5, 1813.

He was married in 1827 to Lydia, daughter of Levi Hastings of Wilmot.

JONAS DARIUS SLEEPER.

Son of Jonas and Sally (Bean) Sleeper; born, Gilford, April, 1815; Brown University, 1840; practiced, Hill, Haverhill, and Concord; died, Plymouth, September 9, 1868.

Mr. Sleeper was fitted for college at the academy in New Hampton; and studied law with Josiah Quincy of Rumney, whose son-in-law he became. He set up in practice in Hill in 1843, and remained there five years; then, receiving the appointment of clerk of the courts for Grafton County, he changed his residence to Haverhill. In 1858 he was made cashier of the state Capital Bank in Concord and removed to that place, but held the position only two years, when he was appointed clerk of the courts for the county of Merrimac, and acted in that capacity to the time of his death. While residing in Haverhill he was elected state senator in 1854 and 1855.

He was a good, careful, judicious lawyer, and was especially adapted to the duties of the office in which he spent so large a part of his life, the clerkship of the courts, by his habits of exact-

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ness, his fidelity, and his unquestioned integrity. He was a well-informed man and a great reader; a genial companion, a good friend to every good cause, and the best of citizens.

He was married in 1846 to Martha G., daughter of Josiah Quincy of Rumney.

DAVID SLOAN.

Son of David and Elizabeth (Scott) Sloan; born, Pelham, Massachusetts, January 9, 1780; Dartmouth College, 1806; practiced, Haverhill; died there, June 7, 1860.

Beginning life with limited means, Mr. Sloan earned the money necessary for his collegiate education, a part of it by writing diplomas. George Woodward of Haverhill and William H. Woodward of Hanover were his instructors in the law, and in due time he put up his sign in Haverhill. At first his clients, like those of many another beginner, were not of the most desirable class, but he was keen, shrewd, and determined to make his way, and became for many years a successful practitioner and prudent manager, so that he acquired a handsome property. He is said to have been unprepossessing in appearance, and of eccentric manners.

His wife was Hannah, daughter of Captain Thomas Johnson of Newbury, Vermont, and two of his sons chose the profession of the law, but both died young.

WILLIAM BRADBURY SMALL.

Son of Isaac Small; born, Limington, Maine, May 17, 1817; admitted, 1846; practiced, Newmarket; died there, April 7, 1878.

Mr. Small prepared himself at Effingham Academy to become a teacher, and was employed as such in Exeter, when he read for his future profession with Bell and Tuck. He succeeded to the office and business of William W. Stickney in Newmarket when the latter removed to Exeter, and being industrious, honest, and clear headed, and having no "small vices," kept a good proportion of his predecessor's clients. He attended all the courts diligently and was a good deal engaged in trials. His treatment of witnesses was fair, and his addresses to the jury were temperate and persuasive, while tenacious for his client's interests. His position at the bar was among the foremost.

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He was elected successively representative and senator in the state legislature, and in 1873 a representative in Congress. He had no liking for party strife, however, and went back to his law practice with real relief. The post of county solicitor was given him in 1866, and he filled it five years. Again appointed in 1876, he continued in the discharge of his duties to the time of his decease. He was an able and conscientious officer.

His first wife, Olive A. Furber of Newmarket, he married June 12, 1851. They had one child. His second wife was the widow of Reuben French.

DAVID SMILEY.

Son of Deacon William and Sarah (Robinson) Smiley; born, Jaffrey, March 16, 1769; Harvard College, 1796; practiced, Jaffrey, Bridgewater, and Grafton; died, Plymouth, May 19, 1845.

Mr. Smiley as an attorney began to practice in his native town in 1800; and was the first lawyer settled in Jaffrey. While there he was chosen town clerk and selectman for two years, but in 1806 or 1807 removed to Bridgewater, now Bristol Village, where he remained in practice for a term of about ten years, and then changed his abode to Grafton. In this place he was a school teacher a part of the time, and served for a long period as superintendent of schools. He also gave some attention to farming. But he kept up his professional business through his life, enjoyed an extensive country practice, and was considered a careful lawyer. His death occurred suddenly while he was in attendance upon the court in Plymouth.

Mr. Smiley was an expert player of checkers, and learning that Dr. Renton of Concord was the champion of his section in that game, was so anxious to test his skill that he is said to have walked from Grafton to Concord, a distance of forty miles, to meet him. It was a genuine feat of modern knight errantry. They were so equally matched that while Smiley won the first game, his antagonist carried off the palm in the second.

Mr. Smiley was married in 1802 to Mary Harkness, at Lunenburg, Massachusetts. They had five children.

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EBENEZER SMITH.

Son of Deacon Ebenezer and Margaret (Weeks) Smith; born, Durham, March 13, 1758; admitted, 1783; practiced, Durham; died there, September 24, 1831.

Mr. Smith obtained his education at Dummer Academy in Byfield, Massachusetts, under the tuition of Master Moody. He studied law with John Sullivan in Durham, and is said to have been secretary to Mr. Sullivan while he was a member of the Continental Congress, in 1780–81. In 1783 Mr. Smith entered upon practice. He was very successful in his profession, and became one of the most prominent lawyers in his section of the State. He is said to have often gone to court with a hundred new engagements. He was not an advocate; most of the important causes in his time were argued by a few leaders, who accompanied the judges on their circuit. The preparation of the law and evidence belonged to the attorneys who originated the suits, and upon their fidelity and ability in doing this the fate of the trials chiefly depended. This work seems to have been the forte of Mr. Smith; here his law knowledge and sound sense were conspicuous.

He was held in much respect by his townsmen, and was their representative in the General Court six years between 1783 and 1793.

He was elected councilor in 1788, in 1793, 1794, and 1795, and in 1798 was tendered the appointment of Justice of the Superior Court, which he declined. For nearly twenty years before his death he was president of the Bar Association of Strafford County.

He married, May 5, 1785, Mehitable, daughter of Jacob Sheafe of Portsmouth. Of their children, a son, Jacob S. Smith, became an attorney.

EBENEZER SMITH, JR.

This is given as the name of an attorney of the Court of Common Pleas, in Sanbornton, in 1808. No mention is made of him by the thorough and painstaking historian of the town, nor has his name been found elsewhere. He may have been of kin to Hon. Ebenezer Smith of Meredith.

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EMERY B. SMITH.

This was a native of New York, born about the year 1835, who came to Orford from Boston, Massachusetts, in March, 1881, for the purpose of practicing his profession. He lived, however, only four months after his arrival.

FRANCIS PETER SMITH.

Son of Rev. Isaac and Sarah (Eaton) Smith; born, Gilmanton, August 22, 1795; Dartmouth College, 1816; practiced, Kingston and Ossipee; died, Ossipee, November 21, 1879.

Mr. Smith prosecuted his law studies with Jeremiah H. Woodman of Rochester, Oliver Crosby of Dover, and Augustus Peabody of Boston, Massachusetts, where he began practice in 1819, but remained but a little time. He tried his fortune successively in Medway, Massachusetts, two years, in Kingston one year, and in Ossipee ten years. At the end of that time he resolved to give up his occupation, and prepared himself for the ministry.

For years he acquired no permanent settlement, preaching temporarily in Gilmanton, Epsom, Wolfeborough, and other places until he reached Sebasticook (now Benton), Maine, where he was the pastor from 1845 to 1859. He returned subsequently to Ossipee.

Mr. Smith was an amiable man, and had, no doubt, a fair share of learning, but is said not to have possessed that requisite of a good lawyer, the capacity to apply the rules of law to the facts of his cases. It was his want of success that determined him to seek a different calling in life.

He was married, October 14, 1821, to Elizabeth S., daughter of Rev. Ezra Weld of Braintree, Massachusetts, and had one daughter.

FREDERIC SMITH.

Son of Timothy and Mary (Greeley) Smith; born, Gilmanton, April 29, 1799; Dartmouth College, 1826; practiced, Boscawen; died, Cambridge, Massachusetts, 1873.

Mr. Smith was fitted for college at the Gilmanton Academy, and gained his legal preparation in the offices of Stephen Moody

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of Gilmanton and Stephen C. Lyford of Meredith. In 1829 he began to practice at Boscawen, but at the end of half a dozen years he abandoned the law, and removed to Boston, Massachusetts, and engaged in trade.

His career as a lawyer was not particularly successful. Of tolerable scholarship, he was eager after gain, and not too particular in his schemes for obtaining it. Legal business in Boscawen was small, and Smith and his deputy sheriff devised a plan for increasing it. An old man in that vicinity had taken out a patent on a sort of mantel of sheet iron, for keeping dishes warm, and many persons were using the device without the license of the patentee. They made an arrangement with the latter, who was without means, to bring suits in his name for infringement of the patent, the fruits of which were to be in great part for their benefit. A number of actions were commenced, and Judge Nesmith was retained by the parties sued and gave them the benefit of his sagacity and sound sense. He learned upon inquiry that the invention, far from being a novelty, had been in use for years before the patent was granted. This fact being proved left the plaintiff no case, and the defendants had judgment. But as the plaintiff was worthless, their indignation was strong against his attorney, who they doubted not instigated the suits, but evaded liability for the costs. The feeling thus roused against Smith was such that he thought proper to quit the place and the profession as well.

JAMES SMITH.

Son of James Smith ; born, Newmarket, c. 1795 ; admitted, 1817 ; practiced, Portsmouth and Newington ; died, Newington, 1869 (?).

Mr. Smith was a student at law in the office of Edward Cutts in Portsmouth. He held himself out as a law practitioner for fifty years or more in Portsmouth, and for two or three years about 1838 in Newington, where he then had his residence. He never belonged to the more reputable ranks of the profession, either in point of knowledge or of character, but was addicted to practices which tend to bring reproach upon an honorable calling.

He married Maria Balfour Spence of Portsmouth, in March, 1866, and left no descendants.

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JEDEDIAH KILBURN SMITH.

Son of Jonathan and Abigail Smith; born, Amherst, November 7, 1770; admitted, 1798; practiced, Amherst; died there, December 17, 1828.

Mr. Smith did not receive a liberal education, and acquired his profession under the instruction of Samuel Dana in his native town. His popular qualities introduced him early to public office: he was moderator of the town in 1799 and repeatedly afterwards, and representative in 1803 and 1804. In the latter year he was elected to the state Senate and again in 1805 and 1806. From 1807 to 1809 he was a representative in Congress, and in 1809 he was again chosen state senator. After serving in the Executive Council four terms between 1810 and 1815 he was, in 1816, appointed an associate Justice of the District Court of Common Pleas. In 1821, on a change in the organization of the inferior tribunals, he was made an associate Judge of the county Court of Sessions, and in 1823 promoted to be chief Judge until 1825.

Judge Smith was a man of undoubted ability, and in his best days a lawyer of respectable attainments. Prior to and during the war of 1812 he was active in supporting the measures of his party, and thus acquired a large degree of popularity, insomuch that in 1810 he is said to have come within a single vote of being elected to the United States Senate. The great foe of men in his position has almost always been indulgence in intoxicating drink, and Judge Smith did not escape its fatal influence. On this account he was in 1826 removed from the office of postmaster, which he had held for seven years.

He was married, September 30, 1802, to Anna, daughter of Nathaniel Henchman, and had a son and a daughter, both now deceased.

JOHN HARVEY SMITH.

Son of John and Betsey Smith; born, Rochester, 1802 (?); admitted, 1824; practiced, Centre Harbor, Conway, Rochester, and Dover; died, Meredith, October 7, 1852.

Mr. Smith was well taught in the common branches of learning, and studied law with Jeremiah H. Woodman in his native town, and with James Bartlett of Dover. He settled first in

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Centre Harbor about 1824, and after three or four years removed to Conway for a short time, and then to Rochester. He represented Rochester in the legislatures of 1832, 1833, and 1834, and in 1837 changed his residence to Dover, where two of his brothers were living. In 1841 he was appointed clerk of the courts for the county of Strafford, and continued in that office to the time of his decease. He received fatal injuries in a collision which occurred between two trains on the Boston, Concord, and Montreal Railroad, in Meredith, October 7, 1852.

Mr. Smith united with good abilities and a fair acquaintance with the law a kind and generous disposition and honorable feeling. It was said of him by a political opponent, "He was a kind, peaceable, generous-hearted man, and if he has left one enemy in Dover I have yet to learn his name."

He never married.

JONATHAN SMITH.

Son of Deacon Jonathan and Nancy (Smith) Smith ; born, Peterborough, August 15, 1797 ; Harvard College, 1819 ; practiced, Lisbon and Bath ; died, Bath, August 10, 1840.

Jonathan Smith was a nephew of Chief Justice Jeremiah Smith. He studied his profession in the office of Levi Lincoln of Worcester, Massachusetts, and in 1825 opened an office in Lisbon, but remained there only two years. He then established himself at Bath as the law partner of Moses P. Payson.

His abilities and scholarship brought him at once into prominence. He was a thorough lawyer, as well as a man of discretion and sound sense. Chief Justice Richardson expressed the opinion that he would make an eminent judge. He tried causes in court, made his points with clearness and precision, and was always listened to with attention by the bench. Moreover he is said to have impressed his hearers with the conviction that he believed all that he uttered. His character was so symmetrical and complete that it was asserted that he had no quality that one would wish left out.

Before he reached the age of forty his health began to fail, and he was obliged to relinquish business. After trying other remedies in vain, he passed a winter in the West Indies in the futile hope of restoring his shattered constitution. He returned to lay his bones in his native land.

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Mr. Smith was twice elected a representative from Bath in the state legislature, in 1835 and 1838.

He married Hannah P., daughter of Hon. Moses P. Payson. They had four children.

LEWIS SMITH.

Son of Jabez and Cloa (Richards) Smith ; born, Eastford, Connecticut, June 5, 1815 ; admitted, 1840 ; practiced, Newport, Henniker, Fisherville, and Nashua ; died, Helena, Montana, July 5, 1883.

Mr. Smith was fitted for college at Bennington, Vermont, and studied his profession partly in that State and the last two years with Edmund Burke of Newport. Admitted to the bar in Sullivan County, he practiced in Newport a short time, and afterwards in Henniker, from 1841 to 1851, a part of that time having an office in Fisherville in Concord ; then at Nashua, until 1856, when he migrated to Hastings, Minnesota. In 1857 he was clerk of the territorial council there, and was subsequently a member of each legislative House of the State, and auditor of Dakota County. In 1872 he removed to St. Joseph, Missouri.

While a resident of New Hampshire he was chosen a representative from Henniker in the legislature of 1841, was assistant clerk of the House from 1843 to 1845, clerk from 1847 to 1849, and delegate to the constitutional convention of 1850. He was an active man of affairs and had a wide practice, and was interested quite as much in political matters as in the business of the courts. He was one of the earliest to take ground against the Free Soil movement in New Hampshire ; but is said to have sided with the loyal sentiment of the country on the breaking out of the civil war.

His wife was Sarah Noyes of Henniker. He left three sons.

SAMUEL SMITH.

Son of Uriah and Olive (Burton) Smith ; born, Francestown, August 12, 1807 ; Dartmouth College, 1827 ; practiced, Francestown and Henniker ; died, Henniker, August 18, 1837.

Mr. Smith was fitted for college at the Francestown Academy, and studied law, the first year with Titus Brown in his native town, and about two years in the law school in New Haven, Connecticut.

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In 1830 he began practice in Chester, Vermont, and after continuing there a year returned to Francestown, whence after another year he removed to Henniker, to succeed to the practice of Artemas Rogers.

He was described by one of his friends as a close student of his profession, a thorough judge of law, considering his age, and of strict integrity of character; deeply interested in general education, and helpful of every cause for the benefit of society. He died of consumption, unmarried.

THOMAS JEFFERSON SMITH.

Son of Thomas S. and Lydia P. (Wright) Smith; born, Dorchester, April 18, 1830; Dartmouth College, 1852; practiced, Wentworth and Dover; died, Manasquan, New Jersey, May 1, 1892.

Mr. Smith was prepared for college at New Hampton Academy. In 1853 he was appointed postmaster of Wentworth, whither he had gone to study law with J. Everett Sargent, and was admitted and began practice in the same town in 1855. He continued to be postmaster until 1861. In that and the succeeding four years he represented Wentworth in the legislature, and in 1866 and 1867 he was chosen state senator from the twelfth district. In 1868 he transferred his residence to Dover. While there he served as clerk of the Senate in 1874 and 1875, and as secretary of the state constitutional convention in 1876.

In 1886 he repaired to Boston, Massachusetts, on receiving the appointment of deputy naval officer at that port, and in the fall of 1887 he was called to Washington, District of Columbia, as solicitor of the United States Internal Revenue Department, which office he continued to fill until the advent of the new administration. Shortly after that time he entered the employ of the New York and Long Island Branch Railroad, in which he was engaged at the time of his decease.

Mr. Smith was an intelligent and efficient lawyer, and a man of pleasing and popular manners. His interest in education was displayed by service upon the school committee of Wentworth and of Dover. He was quite distinguished as a public speaker in the legislature and "upon the stump." His political faith was as the breath of his nostrils. He stood by his party faithfully, and his party stood by him.

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His wife was Sarah S., daughter of Daniel D. Kelley of Wentworth. They were married September 17, 1854, and had two daughters and a son.

WILLIAM SMITH.

Born Princeton, Massachusetts, 1790; admitted, 1813; practiced, Lyme and Hanover; died, Boston, Massachusetts, October 19, 1867.

Mr. Smith's father was a blacksmith, and moved into New Hampshire while his son was a boy. The father's means being limited, young Smith, ambitious and full of energy, was obliged to rely on his own exertions to procure a professional education. He studied law with Abiathar G. Britton of Orford, and began practice in Lyme in 1814, but after an experience of two or three years removed to Hanover. In that town he remained until the year 1833, when he left the State for Lowell, Massachusetts. Benjamin F. Butler was his student there, and afterwards his partner for a time. After living twenty years in Lowell, Mr. Smith established himself in Boston with his son, Henry F. Durant.

He was hardly past middle age when he quitted New Hampshire, and is remembered here as having a considerable faculty for getting business and originating suits, but was not considered a thorough lawyer. He had a boastful manner of speaking of his business, representing the actions in which he was engaged as of transcendent consequence. Some wag applied to him the name of "Puff" Smith, and it fitted so well that it clung to him. While he lived in Hanover he used to carry ostentatiously a hand trunk between his house and office three times every day, as if it contained papers of great value. He was pompous in his speech, and thought it fine to employ long words. He once inquired, at a public table, of Chief Justice Richardson if he ever cultivated *convolvulum tuberosum*. The Judge was not daunted by the botanical name of sweet potato; but having a keen sense of the ridiculous, was intensely amused by the counselor's display of cheap learning.

Mr. Smith married a Miss Fowle of Watertown, Massachusetts, a sister of the wife of Abiathar G. Britton of Orford. Their son, Henry F. Smith, had his surname changed to Durant, under which designation he was known as one of the most adroit and

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successful lawyers in Boston, and afterwards as the founder of Wellesley College.

WILLIAM SMITH.

Son of Hon. Jeremiah and Eliza (Ross) Smith ; born, Exeter, August 31, 1799 ; Harvard College, 1817 ; admitted, 1820 ; practiced, Exeter ; died, Centreville, Mississippi, March 29, 1830.

Mr. Smith received his early education at the Phillips Exeter Academy. He went into his father's office as a student, and in 1820 became a practicing attorney in Exeter. Born to position and abundance, he lacked some of the most powerful incentives to exertion, and never chained himself to the oar of the law. But he possessed popular and brilliant qualities, and in politics and literature early made himself a position. He was chosen a representative in the state legislature in 1822, while he was in his twenty-third year, and again in 1823 and 1824.

He wrote with ability and point. He delivered several addresses on public occasions, and published a pamphlet on the "Toleration Act of 1819," and another on the "Assassination of Julius Cæsar," besides many articles in the journals of the day. His taste for historical study induced him to collect materials for a history of the town of his nativity, which was interrupted by his ill health. Though probably not enamored of the law, he did enough in it to prove that he was no degenerate son of his distinguished father.

In the spring of 1828 he was attacked by pulmonary disease. The winter of 1829–30 he was ordered to a warmer climate, but for him there was no healing virtue in the Southern breezes. To the great grief of his friends, he never again saw his home. The indiscretions of his youth never for a moment obscured the admiration of those who best knew him for his brilliant talents and manly character. He died unmarried.

TITUS SNELL.

Mr. Snell was a native of St. Johnsbury, Vermont, and studied law in that place with Judge Paddock. Admitted about 1835, he was in practice in Lunenburg and Guildhall, Vermont, and in Northumberland and Lancaster, until his decease in 1843. His

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education was respectable and his ability fair. He died of consumption at an early age.

His wife was Elizabeth Sampson of Lancaster, and he left one son.

ALPHEUS FRANKLIN SNOW.

Son of Alpheus and Salome (Harris) Snow ; born, Chesterfield, May 29, 1818 ; admitted, 1841 ; practiced, Claremont ; died, Hartford, Connecticut, November 25, 1886.

Mr. Snow was educated at the academy in his native town, and made his professional preparation in the office of Hubbard and Gilchrist in Charlestown, and at the Harvard Law School. He began to practice in Claremont in 1841, and became very successful, as well in conduct of causes in court as in the business of the office. After an experience of twenty-three years, when his intellectual powers were fully matured, the failure of his physical health compelled him to relinquish his profession. He removed with his family to Hartford, Connecticut, which was his home during the remaining years of his life.

He was married in Claremont, November 19, 1845, to Sarah M. Dean. They had five children.

CHARLES EMERY SOULE.

Son of Dr. Gideon L. and Elizabeth H. (Emery) Soule ; born, Exeter, July, 1823 ; Bowdoin College, 1842 ; admitted, 1845 ; practiced, Dover ; died, New York city, December 12, 1887.

The father of Mr. Soule was the distinguished head of the Phillips Exeter Academy, in which institution the son was prepared for college. He studied for the bar with James Bell, and with Henry F. French in Exeter, and supplemented his preparation by attending the Harvard Law School in 1845 and 1846. He began to practice in Dover in 1846, as the partner of John P. Hale. After a stay there of seven years he removed to New York city, where during the later years of his life he filled the position of assistant surrogate. He was a fine scholar, and a frank, honorable man, with none of the arts, however, by which many men of half his capacity acquire notoriety in the city. He was not pushing, and his practice was not of a character to attract the public

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notice. He was much liked by those to whom he was best known, and was the president of the Alumni Association of his college in New York.

He was married, in 1848, to Ariana, daughter of Hon. Daniel French of Chester. She died in 1865, leaving three children. He afterwards married Eliza A. S. Murdock of New York.

ALFRED BYRON SPALDING.

Son of Edward P. and Mary (Dodge) Spalding ; born, Lyndeborough, August 16, 1849 ; practiced, Greenville ; died there (?), November 9, 1881.

Mr. Spalding entered Dartmouth College as a student in 1868, but did not complete the course. He prepared himself for the profession of the law, and was in practice in Greenville as early as 1875, and remained a year or two at least, and possibly until his early decease.

HIRAM A. SPEAR.

Born, West Braintree, Vermont, c. 1826 ; admitted, 1852 ; practiced, Meredith and Laconia ; died, Laconia, March 4, 1858.

Mr. Spear was a student of the law in the office of Jefferson P. Kidder of Vermont, and was admitted to the bar in Orange County. He began to practice in Meredith in 1852, but in a year or two went to California, where he remained a part of 1854 and 1855. Then returning to this State, he resumed practice in Laconia. In July, 1856, he was appointed register of Probate for Belknap County, and held the office till his death.

His wife was a daughter of Judge Kelley of Meredith.

ALDEN SPRAGUE.

Son of Noah, Jr., and Sarah (Hammond) Sprague ; born, Rochester, Massachusetts, c. 1770 ; admitted, 1792 ; practiced, Haverhill ; died, Barnet, Vermont, 1811.

This gentleman derived his Christian name from his ancestor, John Alden, of "old colony" fame. He probably prepared himself for the bar under the instruction of his half-brother, Peleg Sprague of Keene, and began to practice in Haverhill about 1793. In 1796 he was chosen a selectman of the town, but in the

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seventeen years of his residence it does not appear that he held any other office, being absorbed, no doubt, in his professional business. Tradition proves that he was a learned, acute, and eloquent lawyer. Isaac Patterson said he was the best jury advocate of his day. His practice was extensive, and he was engaged in most of the important trials in his county. He was assigned as counsel of Josiah Burnham, indicted for the murder of Freeman and Starkweather in 1806, and not improbably declined to argue the case in order that Daniel Webster, who was his junior, might have the opportunity of exhibiting on so conspicuous a stage his great powers, as yet unknown to fame.

Mr. Sprague was a man of wit, brilliant in conversation, and a great favorite in society. He enjoyed making neighborly calls upon his friends, and they were delighted to receive him in the hospitable fashion of the time.

His first wife bore him two daughters, one of whom became the wife of James I. Swan of Bath, and the other the mother of Edwin D. and Charles W. Rand of Littleton. His second wife was Eunice Stoddard, who was the mother of two sons and three daughters. One of the sons was the father of Hon. Ebenezer C. Sprague, a lawyer of Buffalo, New York.

JOHN SPRAGUE.

Son of Noah Sprague ; born, Rochester, Massachusetts, June 21, 1740 ; Harvard College, 1765 ; admitted, 1768 ; practiced, Keene ; died, Lancaster, Massachusetts, September, 1800.

This was an uncle of Peleg and Alden Sprague. He studied medicine a short time, and then turned to the law, under the tuition of James Putnam of Worcester, Massachusetts. He first opened his office in Newport, Rhode Island, but came in 1769 to Keene. There he practiced two or three years, and then removed to Lancaster, Massachusetts. He acquired a high standing as a jurist, and was of counsel in the celebrated cases wherein it was determined that human slavery had no longer an existence in that Commonwealth, under the new constitution. Caleb Strong and Levi Lincoln were his opponents. He was a member of each House of the General Court, and died Chief Justice of the Court of Common Pleas of Worcester County.

His first wife was Catherine, daughter of Hon. Richard Foster; his second the widow of Hon. Thomas Ivers. He left one child.

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PELEG SPRAGUE.

Son of Noah, Jr., and Mercy (Dexter) Sprague ; born, Rochester, Massachusetts, December 10, 1756 ; Dartmouth College, 1783 ; practiced, Keene ; died there, April 20, 1800.

Mr. Sprague began life as a clerk in a store in Littleton, but his friends induced him to acquire an education. He entered Harvard, but finished his course in Dartmouth, College. He appears to have been chosen to the legislature of Vermont from the town of Acworth in 1781, perhaps through the influence of the college authorities, who were strongly opposed to the "Exeter government," and in favor of a union of the Connecticut valley towns with Vermont. He read law with Benjamin West of Charlestown, and probably became an attorney in 1785. After a short experience in Winchendon and Fitchburg, Massachusetts, he settled in Keene, and there acquired a handsome practice and became a citizen of prominence. In 1792 he was appointed by the town a committee to purchase a bell for the new meeting-house, and generously offered to take upon himself, in addition to his own share, the shares of four others of the ten townsmen who were judged least able to pay. In 1794 he was appointed solicitor for Cheshire County. He was elected in 1797 to the state legislature, and to the Congress of the United States, to fill the vacancy caused by the resignation of Jeremiah Smith. He served two years, and was faithful and efficient. He advocated his views forcibly, and stood in fear of no man. His energy and independence of character were conspicuous in every position. As a lawyer he was diligent and studious, prompt and faithful. His rank in the profession was deservedly high.

He married Rosalinda, daughter of Deacon David Taylor of Charlestown, April 28, 1785.

JOHN EDWARD STANYAN.

Son of Jonathan and Elizabeth C. (Cochran) Stanyan ; born, Pembroke, May 17, 1816 ; Dartmouth College, 1840 ; practiced, Pembroke, Kingston, and Epping ; died, 1870.

Mr. Stanyan was fitted for college at the academy in Pembroke. After teaching two or three years, he read law with

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Simeon Short of Thetford, Vermont, and began to practice in Pembroke in 1844. Three years afterwards he went to Kingston, and spent the following eight years there and in Epping. Then he is said to have lived awhile in Haverhill and in Ashby, Massachusetts. He returned to Pembroke in 1864 or 1865, and continued there till his death.

Mr. Stanyan was a man of more than ordinary ability, and began life with regular habits and good principles. Later, both deteriorated, and he never found that success in the world which a better use of his powers might have given him.

He married, first, Lavinia, daughter of John Towle of Meredith, in January, 1841; second, Mrs. Urana (Coombs) Green of Townsend, Massachusetts.

CALEB STARK, JR.

Son of Major Caleb and Sarah (McKinstry) Stark; born, Dunbarton, November 24, 1804; Harvard College, 1823; practiced, Concord; died, Dunbarton, February 1, 1864.

Mr. Stark attended lectures at the Connecticut Law School for a year, and completed his legal study in the office of Charles Glidden Haines, in New York, where he was admitted as an attorney. He then proceeded to Ohio, and opened his office in Cincinnati; but finding the climate unfavorable to his constitution, he made his way back to New Hampshire, and put up his sign in Concord.

The practice of the law did not suit his taste, and he soon abandoned it, and returned to Dunbarton, where on his ancestral farm he settled down to a retired and studious life. He was a great reader and a classical scholar, and contributed numerous articles of poetry and prose to the literary and political journals of the day. He had an inclination also for historical studies, and was the author of a history of Dunbarton, published in 1860, and of a life of his grandfather, General John Stark of the Revolution. He represented his town in the legislatures of 1834, 1835, and 1836.

In private life he was genial, social, and helpful to his poorer neighbors, who never appealed to him in vain.

He died unmarried.

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WILLIAM STARK.

Son of Hon. Frederick G. Stark ; born, Manchester, July 16, 1825 ; Williams College, 1850 ; practiced, Nashua and Manchester ; died, Manchester, October 29, 1873.

This was a great-grandson of General John Stark of the Revolution. He was a member of Phillips Andover Academy from 1843 to 1846, studied law in Troy, New York, and was admitted to the bar in that State in 1851. In 1853 he returned to New Hampshire, and maintained an office for some years in Manchester, and a short time, it is stated, in Nashua. He was never very successful as a lawyer, however, and at length dropped out of business. His tastes were essentially literary, and his poetical compositions were much admired. He delivered the poem at the centennial celebration at Manchester, October 22, 1851, and another on a public occasion in Philadelphia.

His fondness for the study of natural history led him to form a large collection of foreign and domestic birds and animals, which he kept in a park, at all times open for the public gratification.

Mr. Stark's talents appear not to have been of the kind that are adapted to practical ends. His mind was unbalanced, and he accomplished but a small part of what his friends had hoped for him.

His wife was Miss Cummings of Lowell, Massachusetts.

DAVID STARRETT.

Son of William and Abigail (Fisher) Starrett ; born, Francestown, September 21, 1774 ; Dartmouth College, 1798 ; admitted, 1802 ; practiced, Hillsborough ; died, Saline Bayou, Arkansas, June, 1819.

After studying law with Samuel Bell of Francestown, Mr. Starrett began to practice at Hillsborough. He was regarded as a man of scrupulous integrity, was successful in his profession, prosperous, and apparently happy.

In March, 1812, he left his home with the avowed intention of visiting Boston on business, taking leave of his family as for a few days' absence. He proceeded to Charlestown, Massachusetts, and took lodgings at a hotel, where he remained for some days.

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One evening he informed his landlord that he was going into Boston on a business errand, and should return the same night. He walked out of the house, carrying a small trunk in his hand, and never came back. His non-appearance caused inquiry to be made, and the trunk was found on the Charlestown bridge, empty and apparently broken open, but no tidings could be obtained of the owner. He was supposed to have a considerable sum of money in his possession, and the natural inference was that he had been plundered and murdered. His family mourned him as dead, and his estate was administered accordingly.

Two or three years passed, and the excitement caused by the affair had subsided, when a letter from the missing man was received by his brother. In it Mr. Starrett declared that he had quitted his family and country with the deliberate intention never to return, and that he had left the trunk in the place and condition it was found in to give the impression that he had been robbed and murdered; while in fact he had made his way to Providence, Rhode Island, the same night, on foot. He was, when he wrote, a major in the republican army of Mexico, as it was termed, which was really one of the bands of revolutionists who were then attempting the conquest of that country.

It was afterwards ascertained that he quitted this rather precarious military service, and returned to the United States, establishing himself as a trader in Arkansas, where under the assumed name of William Fisher he lived respectably, and accumulated a little property. But in a few years he reached the climax of his unaccountable behavior by committing suicide. No cause can be conjectured for his wild escapade, which involved those nearest and dearest to him in anxiety, grief, and deep mortification, and cast suspicion upon the innocent, except mental alienation; and in view of the tragical termination of his career, that seems the most charitable and reasonable explanation of it.

He was married in 1803 to Abigail E., daughter of Rev. Joseph Appleton of North Brookfield, Massachusetts, and had three children.

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DAVID STEELE.

Son of General David and Lucy (Powers) Steele ; born, Peterborough, September 30, 1787 ; Williams College, 1810 ; admitted, 1813 ; practiced, Hillsborough ; died, Hollis, December 10, 1866.

The subject of this notice was prepared for college at the academy in New Ipswich, and pursued his legal studies with James Walker of Francestown, and Charles H. Atherton of Amherst. He opened an office in Hillsborough, at the " Bridge," and continued in practice there until 1861, when he retired from active employment.

He was a diffident man, and though in high esteem as a counselor, he is said to have had no predilection for the law. He was seldom heard in the court-room ; he was rather a man of affairs. In the first cotton factory at the falls of the Contoocook he was interested, as also in agriculture, and with better fortune than generally falls to the lot of lawyer-farmers. He was the prime mover and chief director of the Contoocook Valley Railroad, and spared no time nor money to bring the enterprise to a successful issue. A man of integrity and usefulness to his church and State, he was universally respected.

He was married, November 1, 1838, to Catharine, daughter of Nathan Kendall of Amherst.

DAVID STEELE.

Son of Thomas and Ann (Moore) Steele ; born, Peterborough, November 27, 1793 ; admitted, 1824 ; practiced, New Durham ; died, Dover, July 6, 1882.

Mr. Steele fitted himself for college, but an accidental injury to his spine put a stop to his collegiate plans and affected his health in later life. He persevered in his design of embracing the legal profession, and studied in the offices of his brother, Jonathan Steele of Epsom, of James Walker of Peterborough, and of Stephen Mitchell of Durham. He settled in practice in New Durham as early as 1825, and lived there till 1850, when he changed his domicile to Dover.

He was a lawyer of prominence, successful in his practice, and was chosen to several local offices. For the few later years of his

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life he was a confirmed invalid, and his death took place at the home of one of his sons.

He married Lydia Burnham, in April, 1832, and had two sons.

DAVID STEELE.

Son of General John and Polly (Wilson) Steele ; born, Peterborough, December 2, 1795 ; Dartmouth College, 1815 ; practiced, Deerfield and Goffstown ; died, Goffstown, October 1, 1875.

Mr. Steele studied his profession with James Wilson of Keene, and first practiced at Deerfield in 1819, but after six months settled in Goffstown. He represented that town in the legislature of 1827, and was a state senator the two following years. He was also the first president of the New Hampshire Central Railroad.

He was a very successful business lawyer, though not a distinguished advocate. He had a great number of cases in the Probate courts, and was a noted adviser in the multifarious questions that arise in the administration of the affairs of towns. His experience in the proceedings in the laying out of highways was so extensive that Charles G. Atherton gave him the sobriquet of the "Colossus of Roads." In the fifty-six years of his residence in Goffstown he missed attending only a single term of the courts in his county, until the last year of his life.

With decided opinions, he was one of the most genial of men. He was no stirrer up of strife, but a true friend to good morals and worthy purposes. A high-minded, upright, every way reputable lawyer, he was elected for years the president of the Hillsborough Bar Association.

He married, October 29, 1821, Sally, daughter of David Adams of Derry. After her decease he was married, October 9, 1838, to Isabella A., daughter of John Nesmith of Derry. He had two sons and a daughter. His son John was of the legal profession.

JOHN STEELE.

Son of Hon. David and Isabella A. (Nesmith) Steele ; born, Goffstown, c. 1839 ; admitted, 1861 ; practiced, Goffstown ; died there, 1869.

Mr. Steele did not, it is believed, enjoy the advantage of a collegiate education. He acquired his professional instruction in his father's office, and became associated with him in practice. In

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1864 he joined the First New Hampshire Volunteer Cavalry, as a second lieutenant, and departed for the seat of war. In February following he was promoted to be first lieutenant. The regiment performed good service in the field, and was mustered out in July, 1865.

Lieutenant Steele then returned to his home and resumed his profession. In 1868 he was chosen clerk of the town to fill out an unexpired term. The following year saw him in his grave.

JONATHAN STEELE.

Son of Thomas and Ann (Moore) Steele ; born, Peterborough, February 8, 1792 ; Williams College, 1811 ; admitted, 1815 ; practiced, Epsom and Sandwich ; died, Epsom, September, 1858.

This was a nephew of Judge Jonathan Steele of Durham. After studying with Stephen Mitchell of that place and Charles H. Atherton of Amherst, he commenced practice in Epsom. He was said to be one of the most promising young men at the bar. He had a sufficient knowledge of the law and a retentive memory, good common sense, and an accurate judgment of men and things. He argued causes, and his voice was so sweet and well modulated that one of the judges declared that he never heard any music to equal it. He was solicitor of the county of Rockingham from 1818 to 1823.

In process of time his habits degenerated and his business fell off. He exchanged his stand at Epsom with that of Samuel Peabody at Sandwich, and removed thither, but in a year or two returned. The death of his father-in-law put him in possession of a farm, which he carried on in connection with his law practice. He was an industrious farmer, and a kind and obliging husband and father.

His wife was Elizabeth, daughter of General Michael McClary of Epsom, and they had five children, one of whom became a practitioner of the law.

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STEPHEN POWERS STEELE.

Son of General David and Lucy (Powers) Steele ; born, Peterborough, July 26, 1784 ; Williams College, 1808 ; admitted, 1812 ; practiced, Hancock and Peterborough ; died, Peterborough, July 22, 1857.

This was an elder brother of David Steele of Hillsborough. He studied his profession with James Wilson of Peterborough, and opened his office for clients in Hancock in 1812. His name appears on the school committee in 1814. In 1815 he returned to his native town. He probably held a respectable place among the practitioners of his day, but was not particularly noted. In the affairs of the town he was especially interested. He was town clerk from 1823 to 1829 ; representative in the legislature in 1841 and 1842 ; and a delegate to the constitutional convention of 1850.

His wife was Mrs. Jane McCoy, and they had one son.

TURNER STEPHENSON.

Son of Captain Briant and Deborah (Turner) Stephenson ; born, Lyme, April 8, 1798 ; admitted, 1824 ; practiced, Lancaster ; died there, January 26, 1872.

Mr. Stephenson was prepared for, and nearly completed the course in, Dartmouth College, but did not graduate. His legal studies were prosecuted in the office of William Farrar of Lancaster, and in that of William C. Bradley of Westminster, Vermont, and he was admitted in Essex County, and commenced practice in the town of Lunenburg in that State. There he remained three years, and then returned to Lancaster for the remainder of his life.

A modest, unobtrusive man, he seldom, if ever, appeared as an advocate before the jury, but confined himself mainly to the business of his office. In this department of the profession he was eminently safe and trusted. As a counselor his opinions were received with deserved confidence. Faithful to his client's interests, and of unblemished integrity, he was selected for the office of Judge of Probate in 1855, and continued to occupy it for thirteen years, and until he reached the constitutional limit of age in 1868.

After his resignation he did not return to professional practice,

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but having acquired a competency, spent the evening of his days in social intercourse and the enjoyments of his home. Judge Stephenson, while at the bar, lacked confidence in himself, and with greater faith in his own capacity might have occupied a more conspicuous place with credit. At his death he left the memory of a sound and judicious legal adviser, a useful citizen, and a worthy man.

He married, first, Eleuthera Porter of Charlestown, in 1830; and second, in 1841, Phebe Hough Oakes of Lancaster, who is still living. He left no children.

THOMAS STERNE, JR.

This was a son of Dr. Thomas Sterne of Claremont, one of the original members of the medical society of the State. He was of Cornish in 1798, and practiced law in Claremont a few years, between 1790 and 1800, and then went to western New York, where he is supposed to have died.

AARON FLETCHER STEVENS.

Son of Captain John F. and Martha Stevens ; born, Londonderry, August 9, 1819 ; admitted, 1845 ; practiced, Nashua ; died there, May 10, 1887.

At the age of sixteen the subject of this notice was apprenticed to the trade of a machinist, and afterwards worked at it for some years as a journeyman, but at every opportunity strove to perfect his education. When he had reached the age of twenty-three, George Y. Sawyer of Nashua, perceiving his ambition and his ability, invited him to enter his office as a student, and Mr. Stevens gladly accepted the offer. Having studied three years he was admitted to practice, and on Mr. Sawyer's proposal became his partner. He found himself at once in the midst of a large and important law practice, in which he had continually to meet the ablest members of the bar in Hillsborough and Merrimac counties. No doubt the arduous competition stimulated his ambition and resolution, and shortened the road to self-confidence and success. He received the appointment of solicitor for Hillsborough County, and performed its duties for five years, and as the criminal business was large and fell mostly upon the solicitor, and as many of the cases were defended by the most astute coun-

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sel, he acquired habits of accuracy, a wider acquaintance, and a more assured position, from this experience.

Mr. Stevens was a representative from Nashua in the legislatures of 1849, 1854, 1856, 1857, and from 1876 to 1883 inclusive. In 1867 he was elected a representative in Congress, and served four years with great credit.

Before this he had proved his courage and patriotism. He was one of the earliest in the State to tender his services when volunteers were first called for in 1861, and the commission of major in the First New Hampshire Regiment was awarded him. When the Thirteenth Regiment was organized he was made its colonel. In 1864, at the siege of Petersburg, while he was in command of a brigade, he led an assault on Fort Harrison, and fell severely wounded near the parapet, while he had the satisfaction of seeing his command enter the work and plant their colors upon it.

For his gallantry and military merit the brevet of brigadier-general was conferred upon him in the following December. The war being ended, General Stevens returned at once to his professional practice, which continued large and lucrative, as long as the condition of his health permitted him to attend to it. The last few years of his life, to avoid the extreme cold of the North, he spent the winters in Florida, where he was the owner of an orange grove.

General Stevens was amiable, but he lacked not energy; companionable, but maintained due dignity. His ambition never made him, nor did another's good fortune render him, envious. In the fields of law, politics, and war he showed himself to be equally a leader, without provoking jealousy or rivalry.

He was an admirable lawyer, and treated all with whom he came in contact, or in conflict, with courtesy, never losing the command of his temper or of his faculties. In the court-room and upon the platform he was an interesting, eloquent, and convincing speaker.

General Stevens was married, May 19, 1861, to Adelaide M. Johnson of Nahant, Massachusetts, who accompanied him in his campaigns, and was his nurse in the hospital. He left no children.

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BOSWELL STEVENS.

Son of Lemuel and Mary (Pike) Stevens ; born, Pomfret, Connecticut, November 9, 1782 ; Dartmouth College, 1804 ; admitted, 1807 ; practiced, Pembroke ; died there, January 15, 1836.

Mr. Stevens worked at the forge until he was near sixteen, and then attended Moor's Charity School at Hanover until he was ready to enter college. He pursued his professional studies with Amos Kent in Chester, and during the latter part of his stay there performed the greater part of the work of the office.

In 1807 he located himself at Pembroke, in which not very promising field there was already one legal practitioner, Nathaniel Dearborn. Mr. Stevens found it rather hard to get a foothold, but his ability and character at length asserted themselves, and he obtained clients and friends.

He filled various offices of the town, and in 1814, and for ten years between that date and 1828, was a representative in the state legislature. He was prominent there. In June, 1828, he received the appointment of Judge of Probate for Merrimac County. The duties of that office he discharged until 1832, when he was disabled by a paralytic attack. He never entirely recovered from its effects, though he was able to attend to some business at times, afterwards.

He was a good lawyer, a good citizen, and a good man. He was frequently engaged in the trials of contested cases, before referees and in the courts, though in the latter usually as junior counsel, for he possessed no readiness of speech, and rather shrank from addressing the jury. He was prudent, careful, and accurate in his professional work, and his knowledge was fully equal to all demands upon it.

In 1810 he married Jane, sister of Amos Kent of Chester. After her death he married, in 1814, Catharine Hale, daughter of Noah Emery of Exeter. He left several children, of whom one at least adopted the legal profession.

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GEORGE WASHINGTON STEVENS.

Son of Abram G. and Judith (Flanders) Stevens; born, New Chester (now Hill), November 16, 1814; practiced, Laconia; died, Concord, October 2, 1877.

Mr. Stevens completed his academical education at Kimball Union Academy, in 1838, and studied his profession with George W. Nesmith at Franklin. He entered into practice at Meredith Bridge, now Laconia, in 1843. The next year he was appointed solicitor for the county of Belknap, and served out his term of five years. In 1846 and 1847 and again in 1858 he was elected a representative in the legislature.

Though his temperament appeared sluggish, he was ambitious, shrewd, and energetic. No amount of labor daunted or discouraged him. His bodily health enabled him to endure long-continued labor in court, and his interest in his causes increased rather than flagged as time went on. He was concerned in one suit in behalf of a railroad contractor, where the evidence was so voluminous that the hearing occupied no less than three months.

He had no little skill and power in the advocacy of causes, and was a favorite public speaker, sure to attract a crowd whether he was arguing a cause to the jury, or addressing voters from the platform. He received from Dartmouth College the honorary degree of A. M. in 1868.

His death occurred in the Insane Hospital in Concord, where he had been placed on account of mental disease.

He was married in 1845 to Sarah A. Davenport of Meredith, and had one daughter.

SAMUEL HUBBARD STEVENS.

Son of John and Ruhamah (Fifield) Stevens; born, East Kingston, November 20, 1802; Dartmouth College, 1830; practiced, Bristol; died, Concord, March 19, 1876.

Mr. Stevens read law with Stephen C. Lyford of Meredith, and Daniel M. Christie of Dover. In 1833 he established his office in Bristol, where he lived about twelve years; thence he removed to Lawrence, Massachusetts, but after a year or two changed his residence to Exeter, to become cashier of the Granite

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State Bank. After occupying that position about ten years he retired from active pursuits, and made his home in Concord for the remainder of his life.

He was not specially distinguished as a lawyer, having little taste for controversy; he was a gentleman of much kindness of heart, courtesy of manner, and excellence of character, and was highly esteemed.

He was married, July 27, 1840, to Seraphina S., daughter of Moses Sanborn of Kingston, and left one child, a daughter.

SOLON STEVENS.

Son of Samuel and Talitha (Bingham) Stevens; born, Charlestown, October 3, 1778; Dartmouth College, 1798; died, Charlestown, August 29, 1809.

This gentleman was a grandson of Captain Phineas Stevens, celebrated for his defense of Number Four from the depredations of the Indians, about the middle of the last century. He studied law with Benjamin West of Charlestown, and John C. Chamberlain of Alstead. Admitted probably in 1801, he made choice of Exeter for his place of practice. There he remained until 1808, when he removed to Boston, Massachusetts. But his health soon failed, and he returned to the place of his nativity to die, at the early age of thirty. He never married.

WILLIAM WEIR STICKNEY.

Son of Daniel and Sarah (Morse) Stickney; born, Enfield, June 24, 1801; Dartmouth College, 1823; admitted, 1826; practiced, Concord, Newmarket, and Exeter; died, Exeter, March 19, 1888.

Mr. Stickney prepared himself for college at the Kimball Union Academy in Plainfield, and read law with Henry B. Chase of Warner. His first essay in practice was in Concord, but he stayed there only one year, and in 1827 opened his office in Newmarket. In that place he practiced twenty years, and then removed to Exeter.

He was a representative in the state legislature from Newmarket from 1839 to 1841 inclusive, and from Exeter in 1855. In 1849 he was commissioned United States attorney for the district of New Hampshire, and served until the advent of the succeeding administration. In 1857 he received the appointment of Judge

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of Probate for Rockingham County, and performed the duties of the office until he reached the age of constitutional disqualification. He was a director in the Manchester and Lawrence Railroad, and long a director in the Granite State Bank.

But it was essentially as a practitioner of the law that his life-work was done. He liked his profession, and meant to succeed in it, and he grudged no labor to accomplish that purpose. He was not a brilliant man, but was emphatically a safe one. He met the multifarious demands of a country practice with prudence and care. As an adviser, a conveyancer, and a trier of litigated causes he was extensively employed. Every question submitted to him received his best study and reflection. His cases were thoroughly prepared, and faithfully submitted. Without eloquence, he was a clear and argumentative speaker. His clients had the utmost confidence in his honesty and his ability. The duties of Judge of Probate were well and satisfactorily performed under his administration, and throughout his long life he had the esteem of the bar of his county, over whom he presided for twenty-eight years.

He was united in marriage, November 5, 1850, to Frances A., daughter of Clark Hough of Lebanon, and had three daughters.

EZRA STILES.

Son of Rev. Ezra Stiles; born, Newport, Rhode Island, 1759; Harvard College, 1778; practiced, Keene; died, Edenton, North Carolina, August 22, 1784.

This was a young man of precocious talents and learning. His father, afterwards president of Yale College, superintended his education, and at fifteen he had translated psalms from the Hebrew, and "learned some Chaldee, Syriac, and Arabic." He came to Keene to practice law in 1781. The same year he was chosen a representative in the legislature of Vermont, under the temporary union of the towns east of the Connecticut with that State. Governor Chittenden appointed him a commissioner to settle the eastern and western bounds of Vermont, but probably there was no occasion for such action, at that time.

Before he could have won any enduring place as a lawyer, he was compelled by ill health to leave Keene for the South. There his early death terminated a most promising career.

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JEREMIAH STINSON.

Son of Archibald and Sarah (Page) Stinson ; born, Dunbarton, April 4, 1775 ; Dartmouth College, 1798 ; admitted, 1802 ; practiced, Dunbarton ; died there, September 24, 1809.

This gentleman read law with Baruch Chase of Hopkinton, and set up practice in his native town about 1802. The law, however, was not his sole resource. Belonging to a family of independent means, he had agricultural and other business to attend to, and in the seven years that he was at the bar made no figure that preserved his memory to our time. His death was caused by a painful accident. In sliding down from the hay-mow in his barn, he came upon a pitchfork, which pierced his body and inflicted a fatal wound.

He married, December 9, 1807, Clarissa, daughter of the Rev. Dr. Walter Harris of Dunbarton.

CHARLES JAMES FOX STONE.

Son of Deacon Peter and Ruth (Call) Stone ; born, Boscawen, April 21, 1827 ; admitted, 1857 ; practiced, Plymouth ; died there, April 19, 1860.

Mr. Stone was educated in part at the Military Academy in Norwich, Vermont, and studied law with Austin F. Pike of Franklin, and at the Harvard Law School, in 1854 and 1855. He opened his office in Plymouth in 1857, and became a partner of Joseph Burrows. He is said to have been unfortunate in some business operations, and to have had a controversy with another member of the bar which occasioned much bitterness of feeling. These circumstances, it is supposed, so unhinged his mind as to induce the rash act which caused his death.

He left a widow, Abby A., daughter of Meshech Weare of Andover, and two sons.

ABRAHAM BURNHAM STORY.

Son of David and Thankful Story ; born, Dunbarton, March 22, 1777 ; Brown University, 1799 ; admitted, 1802 ; practiced, Northwood and Washington ; died, Dunbarton, September 16, 1830.

Mr. Story, having studied law under the direction of Charles H. Atherton of Amherst, began to practice in Northwood in

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1803, but after a short sojourn there settled in Washington. There he lived more than a quarter of a century. He is described as of good address, affable and pleasing in his manners, one of the old-school gentlemen, and a man of culture and refinement. He was not a leader of the bar, though probably a highly respectable practitioner. He was representative in the legislature from Washington in 1822.

He returned to his native place shortly before his death.

In 1804 he was married to Letitia Cochran of New Boston. She dying two years after, he married, December 22, 1808, Theodosia Willard of Charlestown. By his first marriage he had a daughter, Letitia, who married, first, Joseph W. White of Portsmouth, and after his decease, Calvin Ainsworth of Concord, both members of the bar.

CHARLES STORY.

Born, England; practiced, Great Island (now New Castle); died there, March, 1716.

Mr. Story was probably bred to the bar in England, and came to this country in 1697, with the commission of Judge of Admiralty for New Hampshire, and was appointed also secretary of the province and clerk of the council. From the two latter offices he was soon afterwards removed, but reappointed secretary by Governor Bellomont. He was also made register of Probate, and so continued through life. He was counsel in many important suits in New Hampshire, and especially in the great case of *Allen* v. *Waldron* in 1707. In the trial of that action the disputed Wheelwright deed of 1629 was first produced in evidence, and the jury with honorable independence disregarded the illegal instruction to bring in a special verdict, and rendered a general one, as it was within their province to do.

He left a wife, Susanna, but no children.

CHARLES JESSE STUART.

Son of William and Esther (Ferguson) Stuart; born, Peterborough, September 20, 1788; Dartmouth College, 1809; admitted, 1813; practiced, Sanbornton and Lancaster; died, Lancaster, May 17, 1837.

Mr. Stuart first set up in practice at Sanbornton Square, and continued there about ten years. Little is remembered about his

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professional business, but he is recalled as the leader of the choir in the old meeting-house there. He was a large man, and with his ample cloak thrown gracefully back, especially on great occasions, presented a striking figure in the singing-gallery.

About the year 1822 he went to Lancaster, and continued in the practice of his profession there as long as he lived. His chances of professional success were unfortunately marred by his habit of indulging in strong drink, the prevailing evil of his time. With more than respectable talents, education, attractive personal qualities, and desirable connections, he was cut off in the prime of life.

He was married on July 4, 1822, to Eliza, daughter of Daniel Austin of Jefferson, the first lady, it is said, who ever ascended to the summit of Mount Washington. They had two children.

GEORGE SULLIVAN.

Son of General John and Lydia (Worcester) Sullivan; born, Durham, August 29, 1771; Harvard College, 1790; died, Exeter, April 14, 1838.

Mr. Sullivan was educated at Phillips Exeter Academy, and at Harvard College, from which he and two older brothers graduated in the class of 1790. He prepared himself for his profession under the tuition of his father, and in 1793 or 1794 set up in practice at Exeter. In 1802 he was intrusted with the duties of solicitor of the county. In 1805 he was a representative in the legislature, was selected by the executive for the important post of attorney-general, and officiated as such nearly two years. In 1811 he was chosen a member of Congress, for one term, and in 1814 and 1815 he was elected a state senator. In the latter year he was again invested with the office of attorney-general, which he retained by successive appointments for twenty years, and then resigned it because of the passage of a statute which, though it increased the salary, forbade the incumbent to practice in civil causes. He chose to sacrifice his office, congenial as it was, rather than to give up so important and lucrative a part of his professional practice.

He was a careful, well-read lawyer, and an advocate of power and eloquence. By universal consent he ranked among the half a dozen foremost lawyers of the State. For many years he traveled the circuit with the judges, and found no lack of retainers in the various counties where the court held its sessions.

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One of the notable traits of Mr. Sullivan was his liberality in practice. Mr. Mason and other able lawyers of that time set and maintained the fashion of yielding no advantage. If their opponents blundered, they must take the consequences, however bitter. No indulgence of any sort was granted, except upon the severest terms that the court could be induced to impose. But Mr. Sullivan offered no objection to any reasonable amendment. But for such as were disposed to take advantage, or were unfaithful to their engagements, he had no mercy. Meanness was an unpardonable sin, in his eyes.

His temper was quick and high, but its flame was generally short-lived, and he rarely harbored malice. In the excitement of sharply contested trials, it was not uncommon for men to forget themselves, and say and do what in cooler moments they would condemn. Tradition tells us that on one such occasion Mr. Sullivan's hot Milesian blood led him to challenge a brother attorney to the field of honor. Fortunately, the intervention of friends led to wiser counsels.

He cultivated the art of oratory — an art now almost extinct at the bar — with assiduity. His voice was sweet and susceptible of the finest modulations. His harangues were carefully studied, and his sentences beautifully rounded. The elegance of his person and dress, his logical skill and weight of personal character, combined with his charming diction and elocution, rendered him the most attractive advocate of his time in the State. He was generous and high-minded. A more honorable and upright man never adorned the bar. His life was worthy of the religion which he professed.

His first wife, to whom he was united in 1799, was Clarissa Lamson of Exeter. After her decease he was again married. He had children by each marriage, and two of his sons became practicing attorneys in this State.

GEORGE SAMUEL SULLIVAN.

Son of Hon. John and Olivia (Rowe) Sullivan; born, Exeter, June 17, 1833; admitted, 1856; practiced, Somersworth; died, Boston, Massachusetts, April 29, 1868.

At the age of twelve young Sullivan entered the Phillips Exeter Academy, and there laid the foundations of his education.

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His first intention was to become a merchant, and with that view he spent some time in a counting-room in Keene, but on maturer consideration he fitted himself, in the office of Gilman Marston of Exeter, for the profession which had been exercised so ably by three generations of his ancestors. He engaged in practice first in Somersworth from 1856 to 1859, and then sought the broader stage of Boston, Massachusetts.

He was ready and aspiring, and chose the conflicts of the court-room in preference to the labors of the desk. He showed his mettle in the trial of *Commonwealth* v. *George C. Hersey* in 1860, in which he was the leading counsel for the respondent, in an indictment for murder. He made a spirited and able though unavailing defense, the facts were so incontrovertible. He died before reaching the age of thirty-five.

He married, February 17, 1866, Annie C. Richards, at Boston, Massachusetts, and left no children.

JAMES SULLIVAN.

Son of Hon. George and Clarissa Lamson Sullivan; born, Exeter, December 6, 1811; Dartmouth College, 1829; admitted, 1832; practiced, Pembroke and Concord; died, Dowagiac, Michigan, August 19, 1878.

Prepared for college in the celebrated academy of his native town, Mr. Sullivan was the pupil of his father, in the law. He commenced practice in Pembroke in 1833, but in 1835 removed to Concord, and shared the office of Samuel Fletcher. In the latter part of 1837 he emigrated to Michigan, practicing his profession successively in Niles, Cassopolis, and Dowagiac. He was a member of the Senate of the State, and of the constitutional convention in 1850.

He was a lawyer of ability and knowledge, with many of the characteristics of the distinguished family from which he sprang. His youthful diffidence did not permit him to exhibit his best qualities here, but in his adopted home he held a high position in his profession.

He was married twice; first, to Nancy, daughter of Asa Morrison of Cassopolis, Michigan. She died in 1848, leaving one daughter. His second wife was Sarah E. Beckwith.

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JOHN SULLIVAN, LL. D.

Son of John and Margery (Brown) Sullivan ; born, Somersworth, February 18, 1740 ; practiced, Durham ; died there, January 23, 1795.

"Master" Sullivan, the father of the future general, was a man of liberal education, and probably was the instructor of his son. The latter is said to have received his training in the law from Samuel Livermore of Portsmouth, and by the year 1774 to have acquired a considerable property as the fruits of his practice in Durham. In reviewing his life we are struck by the multitude of important events which were crowded into the succeeding twenty years. In 1774 he was a delegate to the first Continental Congress, and headed a party in the earliest armed resistance to the royal authority, at Fort William and Mary ; in 1775 he was again a delegate to Congress, was appointed a brigadier-general in the American army, and commanded the New Hampshire troops at Winter Hill ; in 1776 he was promoted to major-general, was taken prisoner in the battle of Long Island, exchanged and conducted the retreat of the American troops from Canada ; in 1777 he distinguished himself by his bravery at the battles of Brandywine and Germantown ; in 1778 he commanded the army in the descent on Rhode Island ; in 1779 he was at the head of the devastating expedition against the Western Indians, and the same year resigned his military commission. In 1780 and 1781 he was again a member of Congress ; from 1782 to 1785, inclusive, he was attorney-general of the State ; in 1786 and 1787 he was president of New Hampshire ; in 1788 he was Speaker of the state House of Representatives, and president of the convention which ratified the United States Constitution ; in 1789 he was again president of the State, and was commissioned Judge of the District Court of the United States, which office he held till his death.

If he failed of complete success in the field, it must be remembered that he had neither military education nor experience, but he abounded in courage, enterprise, and patriotism. His honorable character was never impugned till he had lain three quarters of a century in his grave, and then on evidence most inconclusive, while the whole tenor of his life, the complete and unfailing confidence of Washington and of his fellow-citizens, discredit the charge.

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He was successful as a lawyer, and was noted for his eloquence, which was inherited by his descendants. He rendered invaluable service to the cause of independence and to his State in critical emergencies, and his fame should be guarded as a precious possession by every true son of New Hampshire.

He was married, about the year 1760, to Lydia Worcester, who outlived him a quarter of a century. They had three sons, of whom the youngest, George, was a lawyer; as was Jonathan Steele, the husband of their daughter.

JOHN SULLIVAN.

Son of Hon. George and Clarissa (Lamson) Sullivan; born, Exeter, May 3, 1800; admitted, 1825; practiced, Exeter; died there, November 17, 1862.

In Phillips Exeter Academy John Sullivan was a student from 1813 to 1820; then he began the study of the law in his father's office. His life-long home was in Exeter. Very soon after his admission as an attorney, he was engaged against Oliver W. B. Peabody in the discussion before the court of a point of law, which Edward Cutts of Portsmouth pronounced to be the ablest of the term. When a practitioner of three years' standing, he was made solicitor of the county, and served ten years, after which he was commissioned Judge of Probate. When he had filled that office ten years, the appointment of attorney-general for the State was conferred upon him, and renewed by repeated appointments till the time of his decease.

In his thirty-four years' tenure of public offices, he was distinguished for faithful and efficient service and uprightness. As a lawyer he was careful, exact, and painstaking. No indictment or other instrument that passed under his official inspection was lacking so much as a letter. He allowed no personal feeling to affect his action. He strove to mete out equal and exact justice to all. His conduct of public prosecutions was so manifestly impartial that it was subject to almost no criticism. But his feelings and sympathies were never hardened towards weakness and inexperience, and more than one reclaimed offender had occasion to remember his clemency with gratitude.

He had inherited the mellifluous voice and well-rounded periods that distinguished his father. His forte was the presentation of evidence. The logical chain that he riveted for the jury was

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seemingly irrefragable, and it was rendered doubly strong by his earnest manner, his well-chosen language, and his melodious tones. He did nothing by indirection, and had all his father's scorn of a mean action. His word was as good as his bond. He may be said to have been as perfect a prosecuting officer "as the lot of humanity will admit."

He was married, September 3, 1823, to Olivia, daughter of Samuel Rowe of Exeter. Two of his sons followed the law.

FREDERIC AUGUSTUS SUMNER.

Son of Benjamin and Prudence (Hubbard) Sumner; born, Claremont, May 1, 1770; Harvard College, 1793; admitted, 1796; practiced, Charlestown; died there, August 13, 1834.

Mr. Sumner entered Dartmouth College in 1789, but after partially completing the course migrated to Harvard. He read law with Benjamin West in Charlestown, and practiced there. In 1802 he was appointed postmaster; in 1803 he was chosen town clerk, and was annually rechosen for fifteen years. His period of service as selectman was of about equal duration, beginning in 1804. In 1817 he was county treasurer; in 1823 he was appointed register of Probate for Cheshire County, and in 1827, on the division of that county, he was appointed to the same office in the new county of Sullivan. Of the latter county he was commissioned Judge of Probate, June 16, 1829.

He was mainly a business lawyer, and a good one. He had no fluency of speech. But when he prepared himself carefully beforehand to speak in public, he was capable of acquitting himself handsomely, as he is said to have done in the National Democratic Convention of 1832. As is usual among the better class of lawyers, he was no adviser of litigation.

Apparently he was somewhat easy-going in his habits, and made no scruple of locking up the post-office in the middle of the day, if his business called him elsewhere. But that was in the early quarter of the century, when time was less valuable and letters fewer than now.

He married, May 6, 1801, Mrs. Abigail (Bailey) Stone, at Charlestown, and had six children.

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JAMES INGALLS SWAN.

Son of Joshua and Mary (Ingalls) Swan; born, Haverhill, c. 1779; admitted, 1803; practiced, Bath; died there, April 8, 1820.

Mr. Swan received his education at the academy in his native town, then under the charge of Moses P. Payson, who recognized the abilities of his pupil and encouraged him to pursue his studies. He read law in the office of Alden Sprague of Haverhill. After a short stay at Lisbon (then Concord) he established himself, in 1807, in Bath, where Mr. Payson, his former preceptor, was already in practice. For the remaining thirteen years of Mr. Swan's life they were constantly pitted against each other in professional encounters, yet "never did an unkind word pass between them," a remarkable fact in those days when personalities were so much in vogue, especially in the lower tribunals. The two Bath lawyers were both superior men, and the difference in their mental characteristics was thus described by Mr. Sprague, their law instructor: "Payson," he said, "had more learning and acquired talent, but Swan more brilliancy of imagination and native force."

Mr. Swan was especially noted as a lawyer for his power with the jury. He seemed to be able to sway them at his pleasure, with very little regard to the law or the evidence. Members of the bar who knew his power have said that if they were to be tried for their lives, they would as soon that he should be their advocate as any man they ever knew.

Tradition has preserved the memory of some of his signal triumphs before "The Twelve." There was a famous series of actions for trespass on certain meadows in Piermont, brought by Joseph Bell of Haverhill, and defended by Swan. Apparently the plaintiff had the strict legal right, but there were equities on the side of the defendants. Mr. Swan called to his aid every circumstance that could tell on the jury. A chief question was whether a right of way across the meadows was one or two rods in width. The plans shown on the trial represented the way, some of them by a dotted line, others by two dotted lines. "These latter," the specious advocate gravely argued, "prove that the way must have been two rods wide — one for each line of dots!" Several of the actions were tried, and the defendants always gained the

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verdict, though against the able and pertinacious efforts of the plaintiff's learned counsel. The Court, however, would not permit the law to be nullified by the eloquent sophistries of the advocate, and ordered judgment for the plaintiff, *non obstante veredicto*.

Like many others of his profession, and of other professions, in his day, Mr. Swan was a boon companion and given to conviviality. He made no secret of his preference for "a short life and a merry one." He wanted to enjoy all the good things of this world, and then shuffle off the mortal coil before they palled upon his taste. And he squared his actions with this philosophy. He did not live to be a burden or a reproach to his friends. On a Monday morning he bade his old companions at the tavern a last farewell, went to his home and took his bed, and before the week ended, his mortal life was over. His requests to a neighbor about his funeral were characteristic. He did not wish to burden his bearers with the weight of his heavy body, but desired that it might be drawn to the grave by his horse; and directed that a bugler should be employed to play a dirge while his funeral procession should move on its way to the burial-ground. His wishes were respected.

In his person Mr. Swan was large and imposing. He was of amiable disposition and equable temperament. His natural qualifications for his profession were very great. He was quick to observe, ready to seize every advantage, vehement in declamation, magnetic in speech. He is represented as having certain mannerisms in the use of language and in his intonations that were peculiarly effective. He had to win his way in a bar of no mean strength, for the circuits were traveled in his time by the leading lawyers of all parts of the State. These he was accustomed to meet, even while he was a young practitioner; and notwithstanding his want of a thorough early training, he is said to have held his own against all comers, and fairly earned the title of a leader of the Grafton County bar.

He had many winning traits of character. He was generous and hospitable, and especially attractive to the young. He was styled one of "Nature's noblemen." He was not a religious man; but by an eloquent speech that he made in the town meeting of Bath, he induced the people to increase the salary of their minister by a half. When he died he left behind him no enemies, but many friends.

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His wife was Betsy, daughter of Alden Sprague of Haverhill. They had two or three children, who all died in infancy.

NATHAN C. SWEAT.

Born, Canaan, May 11, 1836 ; admitted, 1862 ; practiced, Lebanon ; died there, May 31, 1871.

Mr. Sweat received an academical education in Malone and Potsdam, New York, and studied for the bar with Lyman D. Stevens in Concord. On his admission he established himself in practice in Lebanon, as a partner of Aaron H. Cragin. A clerkship in the Treasury Department attracted him to Washington in 1865, and occupied him two years. Thence he went to practice in Toledo, Iowa ; but ill health compelled his return to Lebanon, where he died of consumption.

On December 28, 1863, he married Lora T. Kingsbury of Hanover. They had no children.

MASON WEARE TAPPAN.

Son of Weare and Lucinda (Atkins) Tappan ; born, Newport, October 20, 1817 ; admitted, 1841 ; practiced, Bradford ; died there, October 24, 1886.

Mr. Tappan attended the academies in Hopkinton and in Meriden, but never took a collegiate course. His legal education he obtained in part in his father's office, and afterwards with George W. Nesmith at Franklin. He commenced practice in Bradford in 1841.

He became warmly interested in politics as early as the campaign that resulted in the election of President William H. Harrison in 1840. Years afterwards he used to sing, in memory of that rousing contest, with great sweetness and unction, "Tippecanoe and Tyler too," the lilt of which long survived the occasion for which it was composed. His father was an original abolitionist, and his hatred of slavery descended undiminished to his son, so that when the Free Soil and later the Republican party were formed, both stood naturally in the foremost ranks of each.

Mr. Tappan represented Bradford in the legislatures of 1853, 1854, and 1855, and was a very prominent member. In 1854 he received the nomination of his party for the speakership, and failed of an election by only two votes. In 1855 he was chosen

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a member of Congress, and served six years. He was in the winter of 1860–61 a member of the committee, consisting of one from each State, to which was referred that part of the President's message relating to the disturbed condition of the country. Upon the presentation of the reports he made an extraordinarily able and patriotic speech, which was widely circulated. Upon quitting his congressional seat he was commissioned colonel of the First Regiment of New Hampshire Volunteer Infantry, and served three months in the field.

He then returned to his law practice, which became very extensive. A number of years his office was really in the state capital, to accommodate the demands of his business, though his residence remained in Bradford. His law learning was ample, and his judgment and knowledge of men rarely erred. Earnest and determined in behalf of justice, with a native eloquence that made its way to the hearts and consciences of men, he was a powerful advocate.

In 1876 he accepted the post of attorney-general of the State, and continued to administer the office, under successive appointments, to the time of his decease. There were during that time several important capital cases, which he managed with his accustomed skill and power. The duties of the place required discretion and acquaintance with the springs of human character, quite as much as legal knowledge and ability. A large proportion of the criminal business of late years consists in alleged violations of the prohibitory law and other enactments of a character somewhat similar. An attorney-general unfriendly to such legislation, or even one who lacked discrimination, could easily deal with such cases so as to make them a stumbling-block and a rock of offense to the cause of reform. But Colonel Tappan, while never failing to enforce the laws, avoided all unnecessary friction. He performed his duty, but added no needless drop of bitterness to it. His sympathies also often lent a helping hand to those who were reclaimable.

His temperament was genial, his manner hearty, his disposition generous and public spirited. Every good cause found in him a ready champion; he never hesitated to defend the true and the right as he understood them. Dartmouth College gave him the honorary degree of A. M. in 1860.

He was married, first, May 2, 1848, to Emeline M. Worth of

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Bradford; second, June 4, 1871, to Mary E. Jenkins of Boston, Massachusetts; and third, to Imogene B. Atwood of Lisbon. A son and a daughter survived him.

WEARE TAPPAN.

Son of John and Abigail (Weare) Tappan; born, East Kingston, March 3, 1790; Dartmouth College, 1811; admitted, 1818; practiced, Newport and Bradford; died, Bradford, April 6, 1868.

Mr. Tappan received his education preparatory to his college course at the Phillips Exeter and Atkinson academies. He read law awhile with Caleb Ellis of Claremont, and then found employment as a teacher two years in Maryland. Two other years he spent in mercantile business, and then resumed his legal studies with Baruch Chase of Hopkinton and with Hubbard Newton of Newport. For some months after his admission he remained in Newport as a partner of Mr. Newton, but in January, 1819, he fixed his residence in Bradford.

As a lawyer Mr. Tappan is described by those who knew him as diligent in his professional work, set in his opinions, and in his cases exhibiting notable "staying" qualities. He was equally decided in his views upon political matters. Early imbued with a hatred of the inhumanity and wrong of human slavery, he was all his life a determined opponent of the system. His house was always open to the abolitionist lecturers, even when they could hardly find an avowed friend and sympathizer elsewhere. And the slave escaping from bondage was sure of aid and concealment under his roof, notwithstanding the act had the sanction of only "the higher law."

Mr. Tappan preserved the traditions of the earlier great lights of the law, and maintained much of their high sense of the dignity of the profession. He was an especial admirer of Jeremiah Mason, and gave his eldest son his name. He was conscientious and upright, though perhaps a little austere, a sound and careful practitioner, and among the latest of the lawyers bred in the old school.

He married Lucinda Atkins of Claremont, December 25, 1816. They were the parents of five children, of whom the eldest was of his father's profession.

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NOAH TEBBETS.

Son of James and Mary (Nutter) Tebbets ; born, Rochester, December 26, 1802 ; Bowdoin College, 1822 ; admitted, 1825 ; practiced, Rochester ; died there, September 9, 1844.

Mr. Tebbets spent two or three years at the academies in Wakefield and in Saco, Maine, and then entered Dartmouth University ; but when that institution was discontinued upon the adverse decision of the Supreme Court of the United States, he finished his course at Bowdoin. Qualified for the law in the office of Jeremiah H. Woodman at Rochester, he was admitted to the bar of York County, Maine. He went into practice in Parsonsfield in that county, and remained seven years, his practice extending also into this State. In 1835 he returned to his native town.

He had no desire for public office, but consented to be a candidate for state representative in 1842 as a friend of temperance legislation. His effective performance of his duties in the two laborious sessions of that year probably paved the way to his appointment in January, 1843, as a circuit Justice of the Court of Common Pleas. He was soon called on to hold the court, in Grafton County, at which William F. Comings was tried for murder. It was a difficult and exhausting case, lasting twenty-one days. Though the junior of the two justices on the bench, he apparently took the onus of the trial, and delivered the charge to the jury. His conscientious exertions and the confinement and vitiated atmosphere of the court-room combined to sow the seeds of disease in his constitution, from which, though he lingered several months afterwards, he never recovered.

He was a scholar, and never lost his love for the Latin and the English classics. A thorough lawyer, he uniformly gave his advice in favor of peaceable settlement of disputed questions ; of even temper and modest disposition, he was firm in his convictions of right and wrong. In the temperance reform he was active and earnest, before the time when it had become popular to be so. His chief characteristic has been pronounced to be integrity, so complete as to be absolutely beyond suspicion.

He married, June 3, 1828, Mary Esther, daughter of Jeremiah H. Woodman of Rochester, and left several children.

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SAMUEL TEBBETS.

Son of Major Ebenezer Tebbets ; born, Dover, 1780 ; Harvard College, 1799 ; admitted, 1802 ; practiced, Dover ; died there, April 6, 1810.

Mr. Tebbets entered the Phillips Exeter Academy in 1794, and there remained until he went to college. He studied law in Strafford County, and practiced in Dover until his death, — a period of only eight years. The most that we of this generation know of him comes from a few lines in one of Henry Mellen's poems, "The Old Bachelors of Dover," which ran as follows: —

> "Just entered the list we behold Brother Tebbets,
> Courteous and neat as a newly made glove,
> In manner and sentiments still he exhibits
> A genius for learning the lessons of love."

Mr. Tebbets, however, never married, and died a victim of that insidious disease of Northern climes, — consumption.

ANDREW GILMAN TEBBETTS.

Son of David C. and Deborah (Gilman) Tebbetts ; born, Gilmanton, January 1, 1843 ; practiced, Dover ; died, Kanawha County, West Virginia, April 29, 1890.

Mr. Tebbetts obtained his instruction at the academy in Gilmanton, and studied for his profession in the office of Ira A. Eastman of Manchester, who is said to have been the means of his getting an education. He entered the practice in 1864 at Dover, as the partner of Edward B. Knight, and stayed there a year or two. Then he passed a year in Washington, District of Columbia, as librarian in the Navy Department. From there he went to West Virginia, and practiced law in Union, Monroe County, in connection with A. T. Caporton, for nearly twenty years. His last place of residence was Charleston, in Kanawha County.

He was a good lawyer, but very retiring and unobtrusive, and his practice was largely in office business. His memory of personal history was peculiarly retentive, and in conversation he was very entertaining. He assisted in the preparation of several volumes of the state law reports, and was commissioner of school lands for Kanawha County.

He never married.

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GEORGE TENNEY.

Son of Benjamin and Betsey (Taylor) Tenney ; born, Groton, February 12, 1821 ; Dartmouth College, 1847 ; admitted, 1850 ; practiced, Bristol and Concord ; died, White River Junction, Vermont, April 11, 1880.

Fitted for college at the academy in Hebron, Mr. Tenney after his graduation chose the profession of the law, and started in practice in Bristol in 1851. About the year 1859 he exchanged that place for Concord, where he remained two or three years, and then removed to Hartford and White River Junction, Vermont. It is said that he was not very successful in his profession.

He married Eleuthera M., daughter of Isaac Bissell of Hanover, June 23, 1852.

WILLIAM TENNEY.

Son of Captain William and Phebe (Jewett) Tenney ; born, Hollis, September 12, 1785 ; Dartmouth College, 1808 ; admitted, 1811 ; practiced, Salem and Newmarket ; died, Newmarket, September 13, 1838.

This gentleman prepared himself for the legal profession at the Litchfield Law School in Connecticut, and in the offices of Asa Peabody and William Prescott, Boston, Massachusetts, and was there admitted. After two years' experience in practice in Pepperell, Massachusetts, he came to Salem in 1813; and thence to Newmarket in 1815. It was said of him that he was more of a politician than a lawyer. He was assistant clerk of the New Hampshire Senate in 1823, and in 1829 was made postmaster of Lamprey River village in Newmarket. The latter office he held to the time of his death.

His wife was Phebe Wheeler, and they were the parents of one son.

ANDREW ELIOT THAYER.

Son of Andrew E. and Lucy (Flagg) Thayer ; born, Nashua, c. 1820 ; Harvard College, 1842 ; admitted, 1845 ; practiced, Manchester ; died, San Francisco, California, April 21, 1873.

Mr. Thayer prepared himself for the law in the offices of Daniel Clark of Manchester and of George Y. Sawyer of Nashua, and at the Harvard Law School, from which he was graduated

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LL. B. in 1844. The following year he opened an office in Manchester. But his stay in New Hampshire was short. He went away first to Boston, where he was engaged in commercial business, and afterwards to California.

He was married, and left a widow with four children.

JAMES THOM.

Son of Dr. Isaac and Persis (Sargent) Thom; born, Londonderry, August 14, 1785; Dartmouth College, 1805; admitted, 1808; practiced, Exeter and Derry; died, Derry, November 27, 1852.

Mr. Thom studied law in the office of George Sullivan of Exeter, and began business in that town, in 1808. He resided there seven years, practicing law and a part of the time editing the "Constitutionalist" newspaper. He was a young man of bright parts and popular manners, sang a good song, and was always the "life of the company." In the war of 1812 he was chosen captain of one of the military companies of Exeter, and was ordered with his command to Portsmouth for the protection of that port against an apprehended invasion of the enemy. Their courage was never put to the proof, however, by any real attack, though a false alarm or two startled some of the weak-nerved militiamen, and gave occasion for some amusing stories by the captain, after his return from the seat of war.

In 1815 he removed to Derry. He was a lawyer of capacity and legal knowledge above the average, and was engaged in many contested cases. He was also a man of public spirit, was chosen representative in the legislature for five years from 1821 to 1826, and was active in procuring the incorporation of the Derry Bank in 1829. Of this institution he became the cashier and virtual manager. It was a position of no little anxiety, however, though his sunny disposition and habit of "taking things by the smooth handle" enabled him to bear it better than most. The inner door of the bank vault being covered with the best locks of the time, he felt pretty safe against burglars. One day, however, came a man with a brand new bank lock, which he wanted to sell to the bank. Mr. Thom replied that he had locks enough already for his security. "But," said the man, "suppose I should be able to open all your locks without the keys, would you buy mine?" "Of course I would," answered the cashier. The ex-

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periment was tried, and in half an hour the doors of the vault were wide open. "Then," said Mr. Thom, relating the circumstance afterwards, "I did not let the fellow rest till he had put his lock on the door, also. But when I came to think of it, how could I tell that some other man would n't come along the next day, and pick *his* lock as easily as he had picked the others!"

Mr. Thom married, May 13, 1813, Harriet Coffin of Gloucester, Massachusetts, who died in 1873. He left three sons and two daughters.

CHARLES EDWARD THOMPSON.

Son of Hon. Thomas W. and Elizabeth C. (Porter) Thompson; born, Salisbury, June 19, 1807; Dartmouth College, 1828; admitted, 1838; practiced, Haverhill; died, Schraalenburgh, New Jersey, November 2, 1883.

Mr. Thompson received his education at the military school of Captain Alden Partridge of Norwich, Vermont, and at Dartmouth College. After pursuing his law studies for a year in the office of his brother, William C. Thompson, at Plymouth, he traveled for three years in South America and elsewhere, and then was engaged for a time in trade in Mobile, Alabama. Concluding finally to adopt the profession of the law, he returned home, and completed his preparation in the office of his brother, and in that of Joseph Bell of Haverhill, in which place he practiced his profession from 1840 until 1854. He was a representative in the state legislature in 1851 and 1852.

In 1854 he removed to Philadelphia, Pennsylvania, and shortly after established himself in Chicago, Illinois, in general and real estate practice. The great fire in that city in 1871 seriously interfered with his business, and led to his quitting Chicago, and taking up his residence in the East.

Mr. Thompson was highly educated, brilliant, of fine presence, and accustomed to the society of superior and cultivated men, with several of whom he was connected by the ties of consanguinity and marriage. At any time while he resided in New Hampshire it was in his power by steady application to place himself among the foremost lawyers in the State. In the words of the historian of Haverhill, "Nothing stood between him and professional success except the enslavement to appetite."

Mr. Thompson married, May 20, 1835, Mary Porter, daughter

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of Hon. Mills Olcott of Hanover, who survived him. Of their five children, two daughters only are living.

FRANCIS SAMUEL THOMPSON.

Son of John Thompson ; born, Plymouth (?), c. 1818 ; admitted, 1843 ; practiced, Campton ; died there, June 1, 1849.

It was in the office of William C. Thompson at Plymouth, and in the Harvard Law School in 1843, that Mr. Thompson prepared himself for the bar. Campton village was the place where he spent the few years of his practice, which were not enough to leave much memory of his work. He was a member of the school committee, and was something of a wit.

On the 1st of January, 1846, he was joined in marriage to Laura Ann Emerson of Campton, and she bore him one son.

JOHN THOMPSON.

Son of Benjamin and Mary (Pickering) Thompson ; born, Durham, December 2, 1801 ; Harvard College, 1822 ; admitted, 1824 ; practiced, Dover, Centre Harbor, and Moultonborough ; died, Centre Harbor, January 22, 1854.

Mr. Thompson was prepared for college at the Phillips Exeter Academy, which he entered in 1815. He studied his profession with Samuel Mitchell of Durham, and with Levi Woodbury of Portsmouth. After a sojourn of a few months in Dover, he settled in Centre Harbor, in 1825, and finished his life there.

He was somewhat eccentric, and not being driven by want, never made great exertions to obtain business, so that his practice was not considerable. He had a pretty house and a fine library, in which he naturally felt pride. The house took fire, and after quitting it safely he returned into it for the purpose of saving a chair which he valued highly, as a gift from his mother, and perished in the flames.

He never married.

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THOMAS W. THOMPSON.[1]

Son of Deacon Thomas and Isabella (White) Thompson; born, Boston, Massachusetts, March 10, 1766; Harvard College, 1786; admitted, 1794; practiced, Salisbury and Concord; died, Concord, October 10, 1821.

Fitted for college at Dummer Academy, Mr. Thompson studied awhile for the ministry, after his graduation, having previously served as aid to General Lincoln in putting down "Shays' Rebellion." From 1789 to 1791 he officiated as tutor in Harvard College, and then studied law under Theophilus Parsons at Newburyport, Massachusetts. He settled in practice in Salisbury in 1794. His agreeable manners, professional ability, and diligence introduced him to an extensive business, which he made the most of till 1805, when upon his election to Congress he ceased to attend the courts, though he kept his office practice as long as he lived.

He held some years the postmastership of Salisbury; he was made solicitor of the county in 1802, and in 1805 was elected a term to Congress. In 1807 and 1808 he was a representative of Salisbury in the General Court. In 1809, on being chosen state treasurer, and afterwards, he made his residence in Concord. In 1811, and the three following years, he was a representative of Concord in the legislature, the last two years serving as Speaker. He was chosen to the Senate of the United States in 1814 for the fractional term of three years, and on his return home was again a year in the legislature. Though an ardent partisan, he was courteous to all in language and in conduct. Extremely wary and sagacious, he was a trusted leader of his party, and somewhat of a dread and terror to his political opponents. He is said to have been the father of the caucus system.

He was a trustee of Dartmouth College from 1801 to 1821, and was active in the movement for deposing John Wheelock from the presidency, and in opposing the pretensions of the Dartmouth University.

[1] He was christened Thomas, without any middle name. It is understood that he assumed the middle initial W. afterwards, as a matter of convenience, but that it stood for no name. But the catalogue of Harvard College gives his name (among the tutors) as Thomas *Weston* Thompson, and the History of Salisbury as Thomas *White* Thompson.

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He made his law practice profitable, and acquired money from various sources, so that his unfriends regarded him as hard and grasping. One of these, on being informed that Thompson had just bought a tannery, replied: "Very natural that he should take to tanning, he has been *skinning* a good many years." But it should be said that by a large portion of the community he was respected and admired. He was a respectable, though not a great lawyer, an influential politician, a supporter of religion and good morals, just, and practically benevolent.

His last illness was probably caused by his exposure and nervous strain in escaping by night from the burning steamboat Phœnix on Lake Champlain in 1819.

He married, December 25, 1796, Elizabeth C. Porter, who was born at Haverhill, New Hampshire, June 21, 1775. Of his sons, two became lawyers.

WILLIAM COOMBS THOMPSON.

Son of Hon. Thomas W. and Elizabeth C. (Porter) Thompson; born, Salisbury, March 17, 1802; Dartmouth College, 1820; admitted, 1824; practiced, Concord and Plymouth; died, Worcester, Massachusetts, April 27, 1877.

The early education of this gentleman had in all probability the careful supervision of his father, who required him when a lad to write a letter every day, which helped to form his style, and gave him methodical habits. He studied at the law school in Litchfield, Connecticut, with George Blake of Boston, Massachusetts, and Parker Noyes of Salisbury. In 1824 he opened an office in Concord, and remained there two years. Then he went to Plymouth, and acquired an extensive practice. He was wise enough to confine his attention to his profession, and not to be allured from its pursuit by temptations from without. He lived in Plymouth twenty-six years, when he had accumulated a handsome competency, and then, in 1852, removed to Worcester, Massachusetts. The remaining quarter century of his life he spent in a retired and quiet manner.

The chief memorials of the life-work of a lawyer who devotes himself to his profession are to be found in the buried records of the courts and in fleeting tradition. Mr. Thompson is remembered for his sagacity and wise application of the principles of jurisprudence rather than as a book-lawyer or a forensic champion. His innate sense of rectitude seldom failed to guide him to

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the true solution of the problems which lay in doubt. His personal and religious character, his justice and benevolence, won him the respect and esteem of his brethren of the bar, and of the people at large.

His first marriage was with Martha H., daughter of John Leverett of Windsor, Vermont, October 15, 1828. She died April 26, 1841, and he married, June 21, 1843, Susan B., daughter of John Nelson of Haverhill. He had three sons, and a daughter who died in infancy. Two of the sons became lawyers.

HENRY THORNDIKE.

Son of Joseph and Sarah Thorndike, born, Jaffrey, 1781; Dartmouth College, 1809; practiced, Fitzwilliam; died, Thorndike, now Brimfield, Ohio, March 22, 1831.

Mr. Thorndike studied his profession with Caleb Ellis and George B. Upham of Claremont, and was in practice in 1812 and 1813 in Boston, Massachusetts. Then returning to New Hampshire, he settled and remained for the following three years in Fitzwilliam; but attracted by the accounts of the Western country, he emigrated to the then distant State of Ohio. The place of his settlement was first called Thorndike, probably after himself, and subsequently received the name of Brimfield. There he pursued his profession, and also the business of an iron founder.

He married, first, Harriet, daughter of Dr. Moody Dustin of Claremont; and second, Lucy A., daughter of John H. Sumner of the same place.

LARKIN THORNDIKE.

Son of Paul and Olive (Fletcher) Thorndike; born, Chelmsford, Massachusetts, October 19, 1786; admitted, 1810; practiced, Pelham; died, Salem, Massachusetts, July 5, 1857.

Mr. Thorndike obtained his general and his legal education in Litchfield, Connecticut, and was there admitted an attorney. The year after, he came to Pelham to practice, but stayed only a little time before taking up his abode in Salem, Massachusetts, where he became one of the early counsel of the Eastern Railroad, and passed the residue of his life.

He married, December 24, 1821, Sarah, daughter of Benjamin

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Phillips of Lynn, and had five children. Several of his descendants have been of the legal profession.

THOMAS HENRY THORNDIKE.

Son of John L. and Maria (Joy) Thorndike; born, Pittsfield, January 15, 1835; Dartmouth College, 1857; practiced, Pittsfield; died there, June 13, 1888.

The subject of this notice was prepared for college in the academies at Pittsfield, Gilmanton, and Mont Vernon. He read law in the office of Lewis W. Clark of Pittsfield, and practiced there from 1860 to 1874, when failing health obliged him to give up his business. He was a director in the Pittsfield National Bank, and a trustee of the two savings banks in that place, and from 1868 to 1872 was the treasurer of the Pittsfield Savings Bank.

He was unmarried.

JAMES BONAPARTE THORNTON.

Son of James Thornton; born, Merrimac, 1800; admitted, 1823; practiced, Merrimac; died, Callao, Peru, January 25, 1838.

This was a grandson of Matthew Thornton, the "Signer." He was three years in Yale College, but did not graduate, studied for the bar in Connecticut, and with David A. Gregg of Derry, and Abbott and French of Nashua. He settled in Merrimac. His inclination was strongly for political life, and he was chosen a representative from Merrimac in the legislature in 1827 and the three following years, and Speaker in 1829 and 1830. While in that position he was appointed second comptroller in the department of the United States Treasury, proceeded to Washington, and discharged the duties of the office until 1836, when he was sent as *chargé d'affaires* to Peru. Sailing without delay to Callao, he succeeded in accomplishing the object of his mission, and was about to return when he was struck down by death.

He was one of the most popular and promising young men of the State, frank, generous, and noble-minded. Though a decided partisan, he had friends in all parties. He has been stated to be the author of a "Digest of the Conveyancing, Testamentary, and

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Registry Laws of the United States," published in 1847, and republished afterwards.

His wife was Sophia Shepard of Litchfield, Connecticut, and was left with two children.

MATTHEW THORNTON.

Son of Hon. Matthew and Hannah (Jackson) Thornton ; born, Merrimac, 1771 ; Dartmouth College, 1797 ; admitted, 1800 ; practiced, Merrimac ; died there, December 5, 1804.

This was an uncle of James B. Thornton. He prepared himself for his profession with William Gordon of Amherst, and returned to Merrimac to practice. In the few years that remained to him he made no special mark in his vocation.

His wife was Fanny, daughter of Dr. Samuel Curtis of Amherst. They had two daughters.

GEORGE TICKNOR.

Son of Benjamin and Hannah (Gardner) Ticknor ; born, Boston, Massachusetts, April 14, 1822 ; Dartmouth College, 1847 ; practiced, Lebanon, Claremont, Marlow, and Keene ; died, Keene, December 25, 1866.

Mr. Ticknor was a student in Kimball Union Academy at Plainfield until prepared to enter college. With Nesmith and Pike in Franklin he pursued his law studies, and opened his office in Lebanon in 1850. He remained there about one year and a half, and removed to Claremont, where he prepared a Gazetteer of New Hampshire, a work of no small labor and utility, which was published as a part of a volume entitled "New Hampshire as it is," in 1855. In the same year he was appointed to the position of county solicitor, and discharged the duties until 1859.

In 1860 he took up his residence in Marlow, but tarried there only one year. Keene was his next and last place of abode. There he practiced law for a time, and at length became connected with the "New Hampshire Sentinel," a weekly journal, in an editorial capacity, and finally as the senior proprietor. In 1864 he was appointed register of Probate for Cheshire County.

In view of the fact that he had hardly passed middle life, his success, professional, literary, and political, was most creditable to his ability, his versatility, and his habits of application.

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He was married, November 12, 1850, to Lucy A., daughter of Chester Stone of Franklin. He left two daughters.

JOHN MORRIS TILLOTSON.

Son of Daniel and Mary (Sawyer) Tillotson ; born, Orford, April 29, 1772 ; Dartmouth College, 1796 ; practiced, Northumberland ; died there, August 23, 1822.

Mr. Tillotson, after his graduation, was a teacher at Haverhill, and studied law under the direction of Alden Sprague of that place. As early as 1799 he was in practice as an attorney in Northumberland. There he was chosen to the office of chairman of the selectmen in 1804 and 1805, and again in 1816 and 1817. He was register of deeds in 1805, and register of Probate from 1805 to 1817. In 1822 he represented Northumberland and the places classed with it, in the legislature. He is described as an active man of business, who was extensively known throughout Coos County and Essex, the adjacent county of Vermont.

His first wife was Mrs. Betsey Cargill ; his second was Maria, daughter of Judge Sabin of Guildhall, Vermont. He had a daughter, born after his decease.

JOSEPH TILTON.

Son of Philip Tilton ; born, East Kingston, August 10, 1774 ; Harvard College, 1797 ; admitted, 1801 ; practiced, Wakefield, Rochester, and Exeter ; died, Exeter, March 28, 1856.

Having accomplished his law studies with Jeremiah Smith at Exeter, Mr. Tilton began practice in Wakefield. After four or five years he removed to Rochester for a short time, and then established himself at Exeter in 1809. He attained a good practice, though he never became a leader in trials. Faithful to clients, he received from Chief Justice Richardson the rare commendation of being "always ready" in his cases. To the Chief Justice Mr. Tilton's social qualities and appreciation of the humorous constituted a special attraction also.

A brother attorney, passing a fine farm in company with Tilton, expressed a wish to own it. "I'll tell you how you can get half of it," said Tilton. "Bring a suit for the whole, and have it referred out of court. Referees always split the difference between the parties."

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Mr. Tilton was a good-tempered man, but did not lack spirit. He had a quarrel in court with George Sullivan, who sent a friend to him with a hostile message. Tilton began to explain, but the messenger cut him short with the remark that as Sullivan's friend he could not hear explanations. "Sullivan's friend," echoed Tilton, "aren't you my friend too?" "Not in this affair," replied the other. "Get out of my office then," retorted Tilton; "I'll have no enemy here." Sullivan's friend beat a retreat. The difficulty was settled by the intervention of other friends.

Mr. Tilton was a representative in the legislature nine successive years, beginning with 1814. The correspondence of Daniel Webster shows how highly he was thought of by the leaders of his political party, and tradition avers that he held an equally high place in the estimation of his professional brethren.

He chose for his wife, in 1806, Nancy, daughter of Colonel Samuel Folsom of Exeter. She died, March 10, 1837. He left no descendants.

BARNA TISDALE.

Son of Barna and Tryphena (Tiffany) Tisdale; born, Lebanon, July 17, 1787; Dartmouth College, 1809; died, Bradford, Massachusetts, 1860.

This gentleman studied law and settled in Hanover. His name appears in the annual registers as an attorney in that place from 1815 to 1818; but from the best attainable information it is believed that his practice was little more than nominal. He was a farmer, and continued to live in Hanover till 1856, when he transferred his residence to Bradford, Massachusetts.

He married Martha, daughter of Dr. Ebenezer Wright, at Hanover, June 2, 1815.

GEORGE WASHINGTON TODD.

Son of George W. and Lucy (Richardson) Todd; born, Rindge, November 19, 1828; admitted, 1856; practiced, Rindge; died, Maine, April 18, 1884.

Mr. Todd received a very thorough academical education, and gave two years to the study of medicine, which he relinquished for the law. For the latter calling he prepared himself in the office of Pierce and Tyler at Winchendon, Massachusetts, in that of

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Edmund L. Cushing at Charlestown, and in the law school at Poughkeepsie, New York. He was awhile in practice in New York and in Vermont, and between 1859 and 1863 in Rindge. He represented that town in the legislature in 1857 and 1858, and was state senator in 1879 and 1880.

Preferring the occupation of a teacher to that of a lawyer, he spent the greater part of his life as principal of high schools and academies in this and the adjoining States, and was very successful and distinguished in that capacity.

He was married, August 16, 1857, to Mary A. H. Blodgett of Jaffrey. She died, December 31, 1864, and he married, July 27, 1869, Sarah J., daughter of Deacon Hervey Chapin of Holyoke, Massachusetts. He left no children.

ORESTES R. TOPLIFF.

This gentleman, a son of Dr. Calvin Topliff of Freedom, was in the practice of the law in that town from 1858 to 1865, which is understood to be the year of his decease. In the history of Carroll County he is described as having been "a lawyer of very considerable promise, and already attaining local eminence at the time of his death. He had natural abilities of such an order that he might have reached a rank quite above the average lawyer."

EDMUND TOPPAN.

Son of Hon. Christopher and Sarah (Parker) Toppan; born, Hampton, September 25, 1777; Harvard College, 1796; admitted, 1799; practiced, Portsmouth, Deerfield, and Hampton; died, Hampton, July 29, 1849.

Mr. Toppan entered the Phillips Exeter Academy in 1788 for his preparation for college. His law tutor was Theophilus Parsons of Newburyport, who described him as "a promising young man, attentive to study, and well balanced." He first made trial of Portsmouth as his field of practice, but the next year removed to Deerfield as successor to Daniel French. His business at Deerfield was at first quite good. The statute of limitations was about going into effect, and a great number of old claims were put in suit. But he did not think fit to remain there long, and in the autumn of 1803 returned to his native place. He was a selectman of Hampton in 1808, and representative in the state legisla-

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ture fourteen years between 1809 and 1826, and several years postmaster. In the General Court his professional training, his readiness of speech, and his parliamentary experience combined to give him much influence.

It was he who, when the question of the location of the state house in Concord was pending in the General Court, and the north end and south end were at loggerheads to secure it, said wittily of the out-of-town legislators, who were taking sides with much zeal, "that they were not representatives of their towns but of their boarding-houses." He had naturally good powers of mind; his professional and general knowledge was respectable; he spoke with fluency and grace. But he had a wealthy father, and acquired habits of self-indulgence during his residence in Deerfield, so that in later years he became disinclined to earnest effort, and was rarely present at court.

He married, June 22, 1799, Mary, daughter of Stephen Chase of Portsmouth. They had six children, — four daughters and two sons.

GEORGE SULLIVAN TOWLE.

Son of John and Hannah (Bean) Towle; born, Meredith, July 3, 1815; Dartmouth College, 1839; admitted, 1843; practiced, Haverhill and Lebanon; died, Boston, Massachusetts, December 19, 1882.

Mr. Towle fitted himself for legal practice in the office of Daniel M. Christie of Dover. One year he passed in Haverhill, but political journalism was more to his taste than law, and in 1844 he removed to Lebanon and assumed charge of the "Granite State Whig," a weekly newspaper, at the same time attending to law practice. He was representative in the legislatures of 1850, 1856, and 1857, and state senator in 1859 and 1860, the latter of which years he was president of the Senate. He had a fancy for military affairs, also, and rose to the rank of major-general in the state militia.

In 1861 he received an appointment as assistant in the naval office in the United States custom house in Boston, Massachusetts. That position he filled eight years, and the remainder of his life he spent in Boston.

Mr. Towle's forte was political writing and speaking. His editorial work was highly creditable, and his public addresses were forcible and full of enthusiasm. His nature was excitable,

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and it was not easy for him to hold his feelings under control. His foibles were all on the surface, and were far outweighed by his merits which lay beneath.

His wife was Ann E., daughter of Edward Towle of Haverhill. He left two daughters.

AMOS TUCK.

Son of John and Betsy (Fowle) Tuck; born, Parsonsfield, Maine, August 2, 1810; Dartmouth College, 1835; admitted, 1838; practiced, Exeter; died there, December 11, 1879.

Upon leaving college Mr. Tuck spent two or three years in teaching in the Pembroke and Hampton academies, at the same time reading law, and finished his preparation for the bar with James Bell at Exeter, whose partner he then became. They were associated eight years in an extensive practice, much of which was in the trial of causes. Afterwards he had other partners, and appeared in the courts more or less for more than twenty-five years. He was a diligent, sagacious, and faithful lawyer.

He was chosen a representative in the legislature in 1842, and joined the Free Soil party, which by the aid of the Whigs elected him to Congress in 1847. He served six years with marked ability and credit. In 1856 he was a member of the convention which instituted the Republican party, in 1860 of that which nominated Abraham Lincoln for the presidency. In 1861 he was a prominent delegate to the "Peace Congress." President Lincoln appointed him naval officer of the port of Boston, from which position he was removed by President Johnson in 1865. For a number of years afterwards he was engaged in enterprises which took him away from home and from his profession, and twice he made visits to Europe.

He never lost his interest in education. A trustee of the Phillips Exeter Academy nearly thirty years, and of Dartmouth College about ten, he was one of the most actively influential in giving form and character to the Robinson Female Seminary of Exeter, drawing the constitution which the town adopted, and acting as trustee and first president of the board.

His life was an active and honorable one. His public career reflected much credit upon his ability and judgment. He had a high ambition, and was endowed with the qualities of a leader of

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men. His separation from his original party was as creditable to his sense of right as to his political sagacity. His administration of the various positions of honor and trust that were bestowed upon him was able and faithful. An astute man of business, he accumulated a large estate, and was liberal in contributing to public objects, and in private charity.

He married, first, Sarah A., daughter of David Nudd of Hampton; and second, Mrs. Catharine P. (Townsend) Shepard of Salisbury. Of the children of his first marriage, he left a son and two daughters, one of whom became the wife of Francis O. French of the legal profession.

EBEN FRANKLIN TUCKE.

Son of Samuel and Martha (Fogg) Tucke; born, Kensington, February 16, 1822; Dartmouth College, 1843; admitted, 1846; practiced, Exeter; died there, May 30, 1857.

The Phillips Exeter Academy furnished Mr. Tucke his preparation for college, and he studied law with Bell and Tuck in Exeter and at the Harvard Law School. He practiced in Exeter. His ability was quite above the common; he was entertaining and a boon companion. Steadiness and application to study would have insured him business and repute; but he failed to accomplish what he might, and died in middle life.

He married in June, 1850, M. Elizabeth, daughter of Jeremiah L. Robinson of Exeter, and left one daughter.

BELA TURNER.

Son of Captain Bela Turner; born, Windham, Connecticut, 1765; practiced Hanover, Landaff, and Bath; died, Bath, 1814.

The subject of this notice acquired his legal preparation in Connecticut, and with Edward St. Loe Livermore in Concord, and settled as an attorney about 1787 in Hanover. After some seven years he sold out and removed to Bath, having perhaps tarried awhile in Landaff on his way. He never did much legal business, but he wrote a beautiful hand and was a popular teacher of penmanship. In his later years he yielded to the temptations of strong drink, and eventually became its victim.

He was married, in 1791, to Ruth, daughter of Benjamin Hanaford of Concord.

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JOHN LEIGHTON TUTTLE.

Born, Littleton, Massachusetts, c. 1773 ; Harvard College, 1796 ; practiced, Walpole ; died, Watertown, New York, July 23, 1813.

Mr. Tuttle's career was chiefly notable for his success as a politician, and afterwards as a soldier. It was soon after his admission to practice that he settled in Walpole, and his stay there was too brief to identify him with the history of the town ; he came first into note at Concord, Massachusetts, to which place he removed. An active and decided partisan in politics, he was soon appointed postmaster of Concord, and afterwards elected county treasurer from 1808 to 1812, and member of the state Senate during the same period.

In 1812 he was commissioned lieutenant-colonel commandant of the Ninth Regiment of United States Infantry, and proceeded to the field of hostilities, near Sackett's Harbor, New York, where his death occurred. He is described in a contemporary obituary notice as a " distinguished officer."

STEPHEN TYLER.

The origin and antecedents of this gentleman are unknown. He was admitted to the bar in 1820, and settled the same year at Drewsville in Walpole. Nothing is recollected of his practice, and he stayed there probably not above a year, when he removed to Louisiana. His death occurred in New Orleans, in that State, in 1823.

JAMES UNDERWOOD.

This gentleman is believed to have been the son of a Justice of the Inferior Court of Common Pleas for the county of Hillsborough, who bore the same name, and lived in Litchfield. He read law in the office of Wyseman Clagett in his native town, and in that of John Sullivan of Durham. His name appears in the list of those who accompanied Sullivan in December, 1774, in the raid against Fort William and Mary in Portsmouth harbor. The next summer he was a private soldier in the company of Captain Winban Adams in Colonel Enoch Poor's continental regiment ;

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and in 1776 he was commissioned adjutant of Colonel Joshua Wingate's regiment raised for the Canada campaign.

He is understood to have begun practice as a lawyer in Bedford, as early as 1781, and to have continued there for at least six years, and finally to have become mentally deranged.

GEORGE BAXTER UPHAM.

Son of Phineas and Susanna (Buckminster) Upham; born, Brookfield, Massachusetts, December 27, 1768; Harvard College, 1789; admitted, 1792; practiced, Claremont; died there, February 10, 1848.

Mr. Upham probably received his legal training in the office of his brother, Jabez Upham, in Claremont, and in that town, on the removal of the latter to Massachusetts in 1792, became his successor. On the 14th of December, 1796, the position of solicitor for the county of Cheshire was given him, and he retained it until 1804. He was a representative of Claremont in the legislature every year but one from 1804 to 1815, when he was elected to the state Senate, and in 1818, 1821, and 1837; and he was chosen Speaker of the House in 1809 and 1815. He was also a representative in the Congress of the United States from 1801 to 1803.

Mr. Upham was an excellent lawyer, and had a large and profitable business. He tried causes in the courts, and was a respectable, though not an eloquent advocate. His opinions upon questions of law were formed with care and deliberation, and were of the highest authority with the people of his vicinity. By excellent management he was enabled to accumulate a very large fortune, acquired not by speculation or by sudden changes of values, but by economy and prudence. He was for years a large money lender, on note and mortgage, but unlike some of the capitalists of the time, he never took usurious interest. He was strictly honest in his dealings; but not generous. For twenty years in the latter part of his life, he was president of the Claremont Bank.

Governor Plumer appointed him a Justice of the Superior Court in 1816, but Mr. Upham, by the advice of his political friends it is said, declined the place. The governor, a political opponent, in his private journal described Mr. Upham as "a good lawyer, and a man of irreproachable moral character."

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Amasa Edes of Newport, who knew him well, states that he was "a model gentleman of the old school, exact in all his doings and honest in his dealings, of the strictest justice, and a thorough lawyer. He was universally highly respected."

His wife was Mary Duncan of Concord. They had several sons and daughters.

JABEZ UPHAM.

Son of Phineas and Susanna (Buckminster) Upham; born, Brookfield, Massachusetts, August 23, 1764; Harvard College, 1785; admitted, 1788; practiced, Claremont; died, Brookfield, Massachusetts, November 8, 1811.

It was chiefly by his own exertions that Mr. Upham obtained the means of meeting the expenses of his collegiate education. He studied law with Hon. Dwight Foster in his native town, and after his qualification for practice, went for a short time to Sturbridge, Massachusetts, but soon left that place for Claremont, where he settled in November, 1789. In the latter town he carried on business as an attorney about three years, and then returned to Brookfield in 1792.

He was a representative in the General Court of Massachusetts in the years 1804, 1805, 1806, and 1811, and was chosen a member of the Congress of the United States in 1807 and in 1809, but resigned his seat before completing his second term. He was a man of spirit and determination; and he evinced it by the position he acquired as a lawyer. He was not naturally an easy speaker, but by study and careful preparation he made himself eminent as an advocate. His examination of witnesses was skillful and searching, his legal knowledge was ample, and in all the duties of the profession he proved himself to be equal to the best. For nearly twenty years he was employed against the leading lawyers in his vicinity, in important causes.

He married, in May, 1796, Lucy Faulkner of Acton, Massachusetts.

JOHN RILEY VARNEY.

Son of James B. and Sarah B. (Riley) Varney; born, Dover, March 26, 1819; Dartmouth College, 1843; admitted, 1863; practiced, Dover; died there, May 2, 1882.

Mr. Varney prepared himself for college at the Franklin Academy in his native town, and at the Gilmanton Academy.

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While an undergraduate he taught schools in the winters, and after leaving college he had charge of the Franklin Academy two years. His bent was towards mathematics, and the succeeding ten years he was employed as a civil engineer in the preliminary work of laying out railroad lines in New England, New York, and Canada. In 1856 he was appointed clerk of the courts in Strafford County, and performed the duties until 1860, when he accepted an invitation to the chair of mathematics in Dartmouth College. There he remained three years, in the mean time reading law under the direction of Daniel Blaisdell of Hanover, as he had previously done, while at Dover, under Richard Kimball. The winter of 1862–63 he spent in Washington as clerk of the Senate Committee on Naval Affairs.

He entered into practice in Dover in March following, with an outspoken interest in political affairs. He was a representative in the legislatures of 1856 and 1857; selectman from 1868 to 1871 inclusive; member of the board of education, and postmaster, each four years; register of Probate 1872 to 1874, and from 1876, and Justice of the city Police Court from 1877, to his decease. He was also one of the editors and proprietors of the "Dover Enquirer" from 1868, and of the "Daily Republican" from 1881 up to the time of his death.

Mr. Varney's intellectual powers were logical and acute; he was warm-hearted and full of enthusiasm, conscientious and manly. He was strongly religious, and a deacon of the Congregational church.

His first wife, to whom he was united November 21, 1848, was Susan K., daughter of Amos Kimball of West Boxford, Massachusetts. She died in 1851, and he married, December 25, 1860, Isabella G., daughter of Richard Kimball of Dover.

EDWIN VAUGHAN.

Born, Chelsea, Vermont, September 14, 1832; admitted, 1857; practiced Claremont; died there, December 17, 1890.

Mr. Vaughan was educated at the Kimball Union Academy in Plainfield, between 1851 and 1855. His legal studies he pursued at the law department of the Albany University. In 1856 and 1857 he was a teacher at Mott Haven, New York, and in 1858 he began to practice in Claremont, in partnership with his

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former schoolmate, Alexander Gardiner. In 1861 he enlisted in the First New Hampshire Cavalry and, rising through the several intermediate grades, was commissioned captain in March, 1864. He was discharged in June, 1865, having been assistant provost marshal of the Eighth Army Corps for the six months preceding.

Returning to Claremont, he resumed his profession. In 1866 and 1867 he was a representative in the state legislature, and was a United States inspector of revenue in 1867 and 1868. In 1869 he was named consul of the United States at Coaticook, Province of Quebec, a situation which he occupied three years. June 7, 1883, he was commissioned Judge of Probate for Sullivan County, and passed the remainder of his life in that position.

The testimony of those who served in the field with Captain Vaughan shows him to have been a brave, faithful, and efficient officer, and his performance of the duties of provost marshal and later important trusts was creditable to his capacity and his legal training.

He was married, June 20, 1860, to Elizabeth L., daughter of Rev. S. G. Tenney of Springfield, Vermont.

ORSINO AUGUSTINE JABEZ VAUGHAN.

Son of Silas T. and Polly (Ingalls) Vaughan; born, Hanover, March 11, 1819; admitted, 1846; practiced, Gilmanton and Laconia; died, Laconia, April 30, 1876.

The first year of Mr. Vaughan's law study was accomplished during over-hours and at night, while he was working in a mill at the trade of a dyer. The residue of the period was spent in the office of Jonathan Kittredge of Canaan. He was admitted to the bar in Belknap County, and commenced practice at once in Gilmanton. In 1851 he was made register of Probate for the county until 1857, when he changed his place of residence to Laconia. In 1866 he was chosen to the state Senate, and reëlected in 1867. The next year he became the proprietor and editor of the "Laconia Democrat," a weekly political newspaper, and retained the charge of it up to the time of his decease. In 1874, upon the reorganization of the judiciary, he accepted the clerkship of the courts of Belknap County, and shortly after was commissioned police justice of the town of Laconia.

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Mr. Vaughan was able and ready, with a marked talent for business. Amid all his cares and duties he preserved his remarkable activity and his buoyant disposition. He was probably quite as much at home in the columns of his newspaper as in the court-room, but he never ran into the extravagance of partisan quarrels, and was respected in every capacity. In 1866 he received from Dartmouth College the honorary degree of A. M.

He married, in 1849, Julia, daughter of Hon. Thomas Cogswell of Gilmanton. After her decease, Mary E. Parker of Laconia became his second wife, in 1855. She bore him two sons and two daughters.

JOEL C. VIRGIN.

Mr. Virgin was born in Northwood in 1809. In 1828 and 1829 he was a student in the Kimball Union Academy at Plainfield. He became a printer, and from 1841 to January, 1843, was a joint proprietor with Samuel W. Moses of the "New Hampshire Gazette" at Portsmouth. In September, 1843, he established a newspaper styled the "Portsmouth Mercury," but in about six months it passed into other hands. Virgin then advertised himself as an attorney at law in Portsmouth, but did little business as such, nor did he possess the confidence of the community. In no long time he quitted the State, and after remaining awhile in Boston, Massachusetts, he went to the West.

DAVID SANDS VITTUM.

Son of David and Dolly (Beede) Vittum; born, Sandwich, October 31, 1820; Dartmouth College, 1845; practiced, Meredith; died, Baraboo, Wisconsin, April 10, 1880.

Mr. Vittum, who is recalled as a regular and well-liked student in college, pursued his legal studies with Stephen C. Lyford of Meredith, and about 1850 went into practice in that place. For two years he was in partnership with George W. Stevens, but shortly after severed his connection with New Hampshire, and settled in Wisconsin. He was two years a member of the Wisconsin Senate, and when the war of the Rebellion broke out, entered the military service, and became a captain in the Third Regiment of Wisconsin Cavalry. He was in the field from 1861 to 1865. Returning to Baraboo, in Wisconsin, he passed the rest of his life there; in addition to his professional employment,

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holding also the office of president of the First National Bank in that place.

His first wife was Mary E., daughter of Ebenezer Hall of Concord, whom he married in the spring of 1851. After her death he wedded Amanda Hall, her sister.

FREDERIC VOSE.

Son of Hon. Roger and Rebecca (Bellows) Vose ; born, Walpole, November 2, 1801 ; Harvard College, 1822 ; practiced, Walpole ; died, New York city, November, 1871.

Mr. Vose was bred to the law probably in his father's office, and began to practice in Walpole as early as 1825. In 1833 he was sent to represent the town in the state legislature, and had received the appointment, the preceding year, of solicitor for the county of Cheshire, the duties of which he continued to discharge until 1835, when he was given the commission of Judge of Probate. That office he retained until 1841. In 1847 and 1848 he was a member of the state Senate, and at the same time held the position of bank commissioner.

He was well skilled in the learning of the law, and was employed in important causes, but rarely argued before the jury, on account of constitutional diffidence, it is said. In the company of others, though a good talker and a good deal of a wit, he left the conversation to the rest. He was retiring in his habits, rarely appearing in society ; but was a great reader. He was charitable and public-spirited, and his death, which occurred while he was absent from home, was deeply lamented by his townsmen.

ROGER VOSE.

Son of Robert and Miriam Vose ; born, Milton, Massachusetts, February 24, 1763 ; Harvard College, 1790 ; practiced, Walpole ; died there, April 17, 1842.

This able and facetious gentleman settled as a practitioner of the law in Walpole as early as 1794. Soon he made himself prominent. He was a state senator in 1809, 1810, and 1812, and a representative in Congress from 1813 to 1817. In 1818 he was a representative in the state legislature, and received the appointment of Chief Justice of the Court of Common Pleas for the

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second circuit, which he filled till 1820. Then he was given the same office in the Court of Sessions for his county, and held it five years. He was well qualified for the positions which were conferred upon him, and, moreover, was what many judges and legislators are not, — a wit. His very appearance was mirth-provoking. The distinguished Robert G. Harper, after having shaken his sides overnight at Vose's witticisms, was so overcome by the sight of his jolly visage the next morning in the Supreme Court room at Washington, that he quite disgraced himself by an untimely fit of hilarity in presence of the grave and reverend judges of the land.

A Southern member of Congress pointed to a passing drove of mules one day and said to Mr. Vose, "There goes a company of your constituents." "Yes," replied Vose, "I see; going South to teach school and run for Congress."

He was counsel for his town in a suit against a number of persons who had summarily taken possession of a cannon alleged to belong to the town. The town failed to show title, and the suit failed. While the court was still sitting, the triumphant defendants began to discharge the cannon in full hearing. "The case is already reported," remarked Vose.

Judge Jeremiah Smith, after serving one year as governor, failed of a second election. Some of his friends, meeting him shortly after, addressed him in complimentary terms. Vose, who was present, quoted — "We come to bury Cæsar, not to praise him."

The same judge was a particular friend of Governor Christopher Gore of Massachusetts. In a trial before Judge Smith the question arose whether there was a gore of land, not covered by the deeds. "The law," said the judge, "abhors gores." "Except Kit Gore, your Honor," interjected Vose.

Salma Hale was Vose's successful competitor as member of Congress. Both gentlemen being about to leave the court-room one day, Hale, by mistake, took up Vose's hat. "Put down that hat," said Vose. "You 've got my old shoes, and you ought to be contented without my hat, too."

Meeting a person of not immaculate character, clad in black, Judge Vose asked him for what he was in mourning. "For my sins," answered the man, jocularly. "Have you lost any of them?" returned Vose.

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Judge Vose was never accused of using his powers of repartee to wound feeling or to give offense. He was of amiable disposition, and slow to anger, though he was fully capable of resenting an intended wrong.

He was married, in 1801, to Rebecca, daughter of Colonel John Bellows of Walpole. They had four children, one of whom was bred to the law.

BAINBRIDGE WADLEIGH.

Son of Evans Wadleigh; born, Bradford, January 4, 1831; admitted, 1850; practiced, Milford; died, Boston, Massachusetts, January 24, 1891.

Mr. Wadleigh was prepared at the Kimball Union Academy in Plainfield to enter college, but his slender health interrupted further study, and for two years he led an outdoor life. Then he entered the office of Mason W. Tappan of Bradford, as a student, and completed his preparation for the bar. He was but little above nineteen years old, but he began at once to practice in Milford. In no long time he made himself known as a lawyer, and as an aspirant of promise in the political field. He was an early and outspoken anti-slavery man, and naturally belonged to the Republican party on its formation.

He was elected a representative to the state legislature in 1855 and 1856, in 1859 and 1860, and from 1869 to 1872, inclusive, and became one of the most popular and influential members of that body. His personal appearance was attractive, his manners were cordial, and his gift of extemporaneous speech never failed to engage the attention. He treated his opponents with courtesy and fairness; he was ready to do much more for his friends.

In June, 1872, his friends availed themselves of a peculiarly favorable opportunity to present his name to the legislature for election to the Senate of the United States. He was successful, and took his seat in the December following. His course in that body was such as to fully justify the anticipation of his supporters. His bonhommie and amiability of character brought him many friends, his service upon committees was assiduous and creditable, and his intellectual strength and ability in the discussion of public questions placed him among the strong men of his time.

Upon the close of his senatorial term, he returned with un-

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diminished energy, his mental resources quickened and invigorated by his wider experience, to the legal arena. He established his office in Boston, Massachusetts, and during the residue of his life was employed in a large and important professional business in New Hampshire and Massachusetts. As a jurist he was much above mediocrity, but his forte was in the court-room, and especially in the laying of his cases before a panel of his countrymen. His hearty voice and candid address disposed his audience to hear him without prejudice. His words were not wasted in trying to answer the unanswerable. He spent his force on the real gist of his case. As was said by a contemporary of his own profession, and well towards the head of it, he was "a fine, able, strong lawyer, and a forcible and attractive speaker."

He was married, January 6, 1853, to Ann Putnam of Milford. She died before him, leaving two daughters, one of whom is the wife of Samuel Hoar, a lawyer of Massachusetts.

GILBERT WADLEIGH.

Son of Benjamin and Polly (Marston) Wadleigh; born, Sutton, May 27, 1821; Dartmouth College, 1847; admitted, 1850; practiced, Milford; died there, March 8, 1886.

Mr. Wadleigh was prepared for college at the New London Academy, and after his graduation taught the high schools in Bradford and in Concord, each one year, at the same time studying law, first with Mason W. Tappan of the former place, and afterwards with Asa Fowler of the latter. He began at once to practice in Milford. In 1859 he was chosen cashier of the Souhegan National Bank, and served five years.

In 1864 and 1865 he was a paymaster of United States Volunteers. In 1871 he was made treasurer of the Milford Five Cents Savings Institution, and retired from that position in 1875. In 1863 and 1874 he was a representative in the legislature of the State. In his later years he combined his legal business with that of an insurance agent, and also dealt in real estate.

His standing in his profession was excellent, but he preferred the business side of it to the forensic. The sobriquet of "Judge," by which he was familiarly known, points to his possession of legal accuracy and the qualities of moderation and prudence. His genial character surrounded him with friends, and rendered

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him a popular member of the Masonic fraternity, to which he was attached.

He was never married.

CHARLES WALKER.

Son of Hon. Timothy and Esther (Burbeen) Walker; born, Concord, September 25, 1765; Harvard College, 1789; practiced, Concord; died there, July 29, 1834.

Mr. Walker was prepared for college at the Phillips Exeter Academy, and for a year after he quitted college was the first preceptor of the Aurean Academy at Amherst. He then pursued his course of legal study with John Pickering of Portsmouth, and entered into practice about 1793 in his native town. He was appointed second postmaster in Concord in 1801, and solicitor of the county in 1806, which latter position he held only until 1808.

He was averse to public office, and chose to lead a quiet life. He was never a pushing or a conspicuous lawyer. Possessed of a sufficiency of means, he spent much of his time in looking after his own affairs, and those of the northern branch of the Concord Bank, of which he was for several years the president.

He married, in October or November, 1796, Hannah, daughter of Hon. John Pickering of Portsmouth, who died, November 12, 1821, having borne him five children, of whom the eldest was bred to his father's profession, and practiced in New York. One of his daughters became the wife of William Pickering of Concord and Greenland.

JAMES WALKER.

Son of Captain Joshua and Mary (Whitmore) Walker; born, Rindge, March 10, 1784; Dartmouth College, 1804; practiced, Francestown and Peterborough; died, Peterborough, December 31, 1854.

Mr. Walker, after leaving college, was a teacher for a while, and then turned to the law. He left his home with no other resources than the horse which he rode, and a saddle and bridle, designing to go into the office of some counselor in Groton, Massachusetts; but when he reached Francestown he concluded it would be better for him to study with Samuel Bell at that place. So he sold his horse and equipments, and made so good use of his

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time that when he was admitted in 1808 Mr. Bell received him as a partner.

After he had practiced there about four years he transferred his office to Peterborough. There he resided and practiced his profession during his life, excepting a few years which he spent in the western country chiefly for the benefit of his health. His powers of mind were far above the average, as was also his professional knowledge, and he was distinguished by his sagacity, his public spirit, and his sterling integrity. He was representative in the legislature in 1833, and again in 1843 and 1844.

His first wife, married May 31, 1819, was Sally, daughter of James Smith of Cavendish, Vermont, and bore him two sons, one of whom became a lawyer. His second wife, married in February, 1844, was Mary A. Tappan, daughter of Rev. Jacob Abbot of Windham.

LYMAN BRADSTREET WALKER.

Son of Abram and Jemima (Lovell) Walker ; born, Brookfield, Massachusetts, 1785 ; admitted, 1811 ; practiced, Meredith, Gilford, and Concord ; died, Gilford, June 22, 1857.

Having duly studied the law with Gordon Newell of Pittsford, Vermont, and with his brother, Phinehas Walker of Plymouth, the subject of this notice, in October, 1811, settled as an attorney in Gilford. In 1819 he was made solicitor for Strafford County, and was kept in the office for fifteen years. In 1828 and 1829 he represented Gilford in the state legislature. In 1843 he was appointed attorney-general of the State, and served out his five years' term, meanwhile making his home in Concord.

He was gifted with popular talents and good powers of mind, and had a ready knack of turning what he disliked into ridicule. He was not malicious, however. His easy temperament indisposed him to hard work, and inclined him to indolence and self-indulgence. But when he had a purpose to serve he was untiring. Having lost his house and valuable buildings by fire, on which the insurance had expired a few days before, he claimed that an application he had seasonably made for renewal of insurance equally entitled him to indemnification. The directors of the mutual company, however, refused to take his view. Whereupon he resolved to oust them from their office, and by untiring labor

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succeeded, at the next annual meeting of the insurance company, in procuring a majority of votes for a new board of directors, who acceded to his claim and made good his loss.

In his palmy days he had a large law business, and managed it well. He tried his causes effectively and entertainingly. In later life he did not attend with equal care to his affairs, his habits deteriorated, and he lost caste. He was witty and always amusing. In a public address he described the fate of incompetent office-holders, thus: "When vermin have infested the body politic, the Ides of March never fail to comb them from the political head."

In his youth he was connected with the Federal anti-war party. Years afterwards, when he had changed his political affiliation, Governor Pierce refused to appoint him sheriff, on the ground that he had formerly been a "blue-light Hartford Convention Federalist." This Walker thought an indication that the governor was getting into his dotage. On the following Fourth of July the governor presided at a public dinner, and, according to the programme, called on Walker for a sentiment. The latter was thought to have squared accounts by giving the following: "May the indiscretions of youth and the follies of old age be alike forgiven and forgotten."

While he was attorney-general, the counsel for a convicted prisoner produced to the court an affidavit in mitigation of punishment, to this effect: "I certify that I have known the prisoner many years, and that I never heard anything to the disadvantage of his character." "I suppose he never did, your Honor," responded Walker, "for I am informed that the deponent is so deaf that he cannot hear a small arm!"

His wife was Mary Hammond, daughter of Hugh Henry of Chester, Vermont. His only daughter became the wife of William L. Avery, a legal practitioner.

PHINEHAS WALKER.

Born, Brookfield, Massachusetts, September 27, 1768; Brown University, 1790; admitted, 1794; practiced, Plymouth; died, Newport, Maine, c. 1842.

Mr. Walker was admitted an attorney of the Court of Common Pleas in Grafton County, settled in Plymouth, and practiced there nearly forty years. Although he did not try causes in court to

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any great extent, he must have had a pretty large practice, as his entries in 1807 were among the most numerous of those of all the practitioners in the Court of Common Pleas. It is said that he made pretensions to the character of a man of literature and learning, and perhaps with some reason; but, apparently, he was lacking in perception of the fitness of things. In 1823 he was commissioned Judge of Probate for Grafton County, and assumed no small amount of dignity thereon. The wags of the bar used to say that he meant to make his the greatest court in the land; and that he would hear arguments on constitutional questions for a week, while a poor widow would be waiting to settle her accounts and he could find no time to attend to her. It is certain that his administration of the office was unsatisfactory, and he was displaced from it in 1831.

In 1832 he removed from the State to Newport, Penobscot County, Maine, and resumed the practice of the law for three or four years, when he relinquished his business to his son.

His wife was Mary Weld, and he had a son, William L. Walker, an attorney in Maine.

ANDREW WALLACE.

Son of Deacon John and Polly (Bradford) Wallace; born, Amherst, now Milford, March 28, 1783; practiced, Mont Vernon, Hancock, and Amherst; died, Amherst, September 23, 1856.

Mr. Wallace is said to have received a private education, and to have entered Dartmouth College, but he did not graduate. Upon attaining the age of twenty-one years he decided upon the profession of the law, and studied with Nathaniel Shattuck of Amherst and with Daniel Abbot of Dunstable. He began practice in 1813 at Mont Vernon, which he represented in the legislature three years later; removed to Hancock about 1817, and was chosen representative there in 1822, 1823, and 1824, but resigned the trust in the latter year, upon receiving the appointment of clerk of the courts in Hillsborough County, and removed his residence the same year to Amherst, the county seat. The duties of clerk he performed for fifteen years, and in that time was town clerk of Amherst from 1832 to 1836 inclusive. After he ceased to be clerk he resumed practice in Amherst, and was chosen representative from that town to the General Court in 1840 and 1841,

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and delegate to the convention to revise the state Constitution in 1850.

The estimates that are put on the professional and personal merits of Mr. Wallace are uniformly favorable. He is described as a correct business man, a good lawyer, of excellent character and highly esteemed by all. He had literary taste and skill also. Some of his compositions in verse are to be found in "The Poets of New Hampshire."

In December, 1820, he married Hepzibah Cummings of New Ipswich. Of their six children, only one outlived him.

ELISHA FULLER WALLACE.

Son of Hon. James and Betsey (Kimball) Wallace; born, Amherst, March 30, 1792; Dartmouth College, 1811; practiced, Amherst; died, Syracuse, New York, 1870.

After quitting college this gentleman was a private tutor in Virginia, and afterwards studied his profession with David Cummins and Leverett Saltonstall in Salem, Massachusetts. He settled in 1815 in Marblehead in that commonwealth, and in 1820 returned to Amherst. There he remained five years, the last two of which he acted as clerk of the Court of Sessions for Hillsborough County. In 1825 he emigrated to Syracuse, New York. In 1861 the appointment of United States consul to Cuba was conferred upon him.

He married Lydia Wheelwright of Boston, Massachusetts, in November, 1820.

BENJAMIN WARD.

Son of Ithamar and Anna (Powers) Ward; born, Phillipston, Massachusetts, January 25, 1793; practiced, Rindge; died there, February 26, 1828.

This gentleman was a grandson of General Artemas Ward of the Revolution. He entered Harvard College, but was prevented from finishing the course by the failure of his health. He read law with an uncle in Shrewsbury, Massachusetts, and came to Rindge to practice in 1822. He is described as a man of talents and an accomplished scholar, of much private and professional worth. Had he possessed physical strength commensurate with his ability and attainments, it is thought that he might have car-

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ried off the highest honors of the law. But his early death cut short his promising career.

Linda, daughter of Captain Joel Raymond of Rindge, was his wife and the mother of his only child, a daughter.

CHARLES COTESWORTH WEBSTER.

Son of Caleb and Hannah Cook (Cremer) Webster; born, Salem, Massachusetts, November 27, 1810; Dartmouth College, 1830; admitted, 1833; practiced, Fitzwilliam, Chesterfield, and Keene; died, Keene, September 7, 1884.

Mr. Webster was fitted for college at the academy in Bradford and the Phillips Academy in Andover, Massachusetts. He studied his profession in Salem, Massachusetts, and at the Harvard Law School in 1831, and was admitted to the bar in Cheshire County.

His first essay in practice was at Fitzwilliam, where he was from 1833 to 1839. Removing then to Chesterfield, he remained there till January, 1846, when he took up his final residence in Keene. His natural powers were above the average, and with the experience of more than half a century of practice he was not only well up in the knowledge of his profession, but his retentive memory was filled with reminiscences of the men and occurrences of other days, which he related with pungency and enjoyment.

His wife was Lavernie, daughter of Joseph Clark of Chesterfield. They were married October 22, 1833, and had six children. Only three survived him, of whom one is a lawyer in Keene.

DANIEL WEBSTER, LL. D.

Son of Hon. Ebenezer and Abigail (Eastman) Webster; born, Salisbury, January 18, 1782; Dartmouth College, 1801; admitted, 1805; practiced, Boscawen and Portsmouth; died, Marshfield, Massachusetts, October 24, 1852.

The rapid intellectual growth of Daniel Webster was amazing. Passing his youth mostly in a frontier hamlet, with the fewest facilities for instruction, he was able at the age of nineteen to lead his college class, not merely in the recitation-room, but in maturity of thought and in ease and elegance of literary expression. In 1804 his law-tutor, Christopher Gore, dissuaded him from accepting the office of clerk, as unworthy of him; in 1805 he

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entered on the docket of his county twenty-two suits, and tried before the jury two cases, of which he gained one; in 1806 he was pronounced by Jeremiah Smith, on listening to his mere statement of a case, the most remarkable young man he had ever met, was assigned as counsel to defend Burnham for murder, and made an argument against capital punishment fully worthy of his prime. He removed to Portsmouth in 1807, and within a year or two was declared by Jeremiah Mason to be his most formidable opponent before a jury.

He continued to reside in New Hampshire upwards of eleven years after he commenced the practice of his profession, and had in that period acquired the highest standing as a leading counselor and advocate at the bar, as a political writer and speaker, and as a member of the national legislature. When he removed in 1816 to Massachusetts, he may be said to have reached the very acme of his powers, as it was within four years of that event that he made his celebrated argument in the Dartmouth College case before the Supreme Court of the United States, his scarcely less able vindication of the Kennistons in the Supreme Court of Massachusetts, took a leading part in the constitutional convention of that commonwealth, and delivered his oration at Plymouth, "which placed him on the list of the world's greatest orators."

It is the opinion of those well able to judge that Mr. Webster's earlier oratorical efforts much exceeded those of his later life in brilliancy and eloquence. After years of appearing before the public, the attraction of novelty ceased to incite him to effort, and some special motive or occasion was needed to spur him up to his best. It is not strange that he was "dull," when called on to speak of trite topics, or to argue every-day questions of insurance or general average. He could not bring his masterly powers to their highest exercise on petty themes. As well expect a scientific horologer to become enthusiastic over the mechanism of a Waterbury watch.

He was eminent alike as a jury advocate, a constitutional lawyer, a statesman, and a patriotic orator. It is unnecessary to particularize to American readers his great achievements in each of these fields, — they are written in the history of the country.

He was a rapid worker, and brought his best powers to bear on his tasks. When they were done he needed recreation. His

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farms at Marshfield and at Franklin were his great sources of refreshment. In one he could commune with the ocean, in the other with the mountains. Each afforded him the sport of the gun and the fishing-rod, in which he delighted. There, too, he loved to feed out nubbins of corn to his great oxen, and declared with a smile that bared his white teeth, that they were "better company than the United States Senate."

Princeton, Dartmouth, and Harvard colleges inscribed his name upon their rolls of Doctors of Law.

He married, June 24, 1808, Grace, daughter of Rev. Elijah Fletcher of Hopkinton. After her death he married, December 12, 1829, Caroline Bayard, daughter of Herman Le Roy of New York. By his first wife he had five children, of whom the eldest son, Fletcher, studied the law.

EZEKIEL WEBSTER.

Son of Hon. Ebenezer and Abigail (Eastman) Webster; born, Salisbury, April 11, 1780; Dartmouth College, 1804; admitted, 1807; practiced, Salisbury; died, Concord, April 10, 1829.

This, the elder brother of Daniel Webster, obtained much of his preparation for college in the home of Rev. Samuel Wood, who furnished him board and instruction for the moderate compensation of one dollar a week. While an undergraduate he taught schools in country towns and in Boston, Massachusetts, at the same time keeping by private study fully abreast of his classmates in all the college exercises. He read for his profession with James Sullivan of Boston and with Parker Noyes of Salisbury, and when admitted set up his office in Boscawen, as successor to his brother, Daniel, who removed to Portsmouth.

Ezekiel Webster manifested industry, a remarkably well-balanced judgment, and determination to succeed, and he did succeed in acquiring an extensive legal practice and great weight and influence in and out of his profession. At first he had a reluctance to address a court or jury, and used to settle or refer to arbitration cases which involved serious contests; but as his abilities became better known he received retainers that compelled him to exhibit his powers of advocacy, in which scarcely a lawyer of the State surpassed him.

He became a leader of the Federal party in New Hampshire, and was a representative in the General Court eleven years

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between 1811 and 1828, and a senator in 1815. A generous and public-spirited citizen, he did much to encourage improved methods of husbandry, and to build up the academy in his town. He was a main pillar of the Congregational church, and a trustee of Dartmouth College ten years. He maintained his acquaintance with the ancient languages, and was a great reader, especially of the classical English authors.

Judge Pingry of Vermont, while a law student in Salisbury, was overtaken by Mr. Webster in the road one winter day, and was by him invited to ride in his sleigh. He accepted, and as they drove along, Mr. Webster volunteered to give him three pieces of advice: "First, never walk when you can ride; second, never do anything yourself that you can get another to do for you; third, never do to-day what you can put off till to-morrow." These precepts, especially the last two, were so totally opposed to Mr. Webster's practice that the young man was shrewd enough to take them "by contraries," as they were meant.

Mr. Webster possessed great bodily strength, which he had once occasion to use to the utmost. He called on a rough fellow one day to collect an execution he held against him. The debtor, with the assistance of another man he had called in, attempted to take the execution from Webster by force. The latter mastered them both, but the effect was the rupture of some large blood-vessel. His heart was afterwards affected, and his death was probably occasioned by his great exertion on the occasion. Some time after, he tried a cause in the court in Concord, closing the evidence in the forenoon session. After dinner he took a walk with a companion, and was recalled to the court-room very hastily. He began his argument to the jury and partially completed it in his usual voice and manner. He had just finished the sentence "This, gentlemen, you have in evidence," when he fell to the floor a corpse.

In personal appearance Mr. Webster differed in one respect from his more distinguished brother: his complexion was light; but he had the same majestic form, penetrating eyes, and the same "princely head" that crowned the figure of the "great expounder."

He was first married, January 13, 1809, to Alice Bridge of Billerica, Massachusetts, who bore him two daughters. His second wife was Achsa, daughter of Samuel Pollard of Dunstable. Her he married August 12, 1825.

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SAMUEL CUMMINGS WEBSTER.

Son of Captain David and Lydia (Cummings) Webster ; born, Plymouth, June 28, 1788 ; Dartmouth College, 1808 ; admitted, 1812 ; practiced, Swanzey, Plymouth, and Haverhill ; died, Haverhill, July 21, 1835.

Mr. Webster prepared himself with George Woodward of Haverhill for the bar, and opened an office for a short time in Swanzey. In 1816 he returned to his native town, and practiced there for some eighteen years. He is said not to have been specially industrious or ambitious in his profession, though he did a fair business in collections. His inclination led him rather into political life. He was a representative in the legislatures of 1822, 1826, 1827, 1829, 1830, 1832, and 1833. On the resignation of James B. Thornton of the speakership of the House in 1830, Mr. Webster was chosen in his place. In 1831 he was elected a member of the Executive Council, and in 1833 he received the appointment of sheriff of the county of Grafton. The succeeding year he removed to Haverhill, and lived there till his death.

While in Plymouth he is represented to have been on not the best terms with Judge Arthur Livermore. The latter preferred a charge against him for not entering an appeal upon the docket of the court; but upon full investigation the charge was not sustained.

Mr. Webster married, in 1816, Catharine, daughter of Hon. Moore Russell of Plymouth, by whom he had children, who survived him.

WILLIAM GORDON WEBSTER.

Son of Colonel William and Sarah (Gordon) Webster ; born, Plymouth, August 20, 1800 ; Dartmouth College, 1822 ; practiced, Rochester, New Hampton, and Concord ; died, Plymouth, June 14, 1839.

Mr. Webster studied in the office of Samuel Fletcher of Concord, and commenced practice in Rochester in 1827. He could have made but a short stay there, for he is found in New Hampton within two or three years afterwards, and removed thence to Concord in 1832. Little is remembered of his life or his work.

He was married, June 8, 1829, to Susan, daughter of Stephen Ambrose of Concord.

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WILLIAM McGAFFEY WEED.

Son of William and Rebecca (Foss) Weed ; born, Sandwich, July 29, 1814 ; admitted, 1874 ; practiced, Sandwich ; died there, March 9, 1892.

Sandwich was the life-long home of Mr. Weed; and his connection with the law was more through his service as clerk of the courts than as a practicing attorney, which he became late in life. He was educated at the academies in Gilmanton and New Hampton, and for the first fifteen years of his active life was engaged in trade. In 1848 he began the study of the law with Samuel Emerson of Moultonborough, but did not then complete his course. In the legislative sessions of 1846 and 1847 he was engrossing clerk, and between 1854 and 1877 he was a representative ten years.

He was clerk of the judicial courts eighteen years from 1856, and often chosen moderator, selectman, and agent of his town, of which he was a leading citizen. A delegate to the convention which nominated Fremont for the presidency in 1856, he was a member of the Republican state committee above thirty years.

He married, in 1850, Eliza N., daughter of Elisha Hanson of Sandwich, and had a son and a daughter.

JOSEPH DOE WEEKS.

Son of Hon. William P. and Mary E. (Doe) Weeks ; born, Canaan, October 23, 1837 ; Dartmouth College, 1861 ; admitted, 1864 ; practiced, Canaan ; died there, December 1, 1890.

Mr. Weeks was prepared for college in the academies at Plainfield, at South Berwick, Maine, and in his native town. On his graduation he began his legal studies in the office of Messrs. Wheeler and Hall in Dover, and completed them in the Harvard Law School, and in the office of Isaac N. Blodgett of Canaan. He first made trial of his fortunes in Janesville, Wisconsin, for a year or more ; but in the spring of 1866 returned to his native place. He practiced there successfully some years, confining himself chiefly to office business and the preparation of causes for trial. His father's death in 1870 threw upon him the management of a considerable estate, which thereafter absorbed much of his attention, and together with his interest in politics, left him comparatively little time to give to the law.

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He was a representative in the state legislatures of 1869, 1870, and 1881, and a senator in those of 1875 and 1878, as well as a delegate to the constitutional convention of 1876. He occupied a responsible place in each of these bodies, and did his full share in shaping their policy. He was a genial companion, a courteous and able member of the profession, a good citizen, interested in the affairs of his town, a devoted son and brother.

He never married.

WILLIAM PICKERING WEEKS.

Son of Brackett and Sarah (Pickering) Weeks; born, Greenland, February 22, 1803; Dartmouth College, 1826; admitted, 1829; practiced, Canaan; died there, January 8, 1870.

Mr. Weeks was prepared at Gilmanton Academy to enter college, and studied his profession with William A. Hayes and Christopher N. Cogswell at South Berwick, Maine. Admitted an attorney in the county of York in that State, he opened his office in November, 1829, in Canaan, the place of his life residence afterwards. He was postmaster for some years, and represented the town in the legislatures of 1839, 1840, 1852 and 1854, and as a delegate in the constitutional convention of 1850. He was a member of the state Senate in 1848 and 1849, and president of that body the latter year.

Mr. Weeks was a sagacious and successful lawyer, had a large business, which he managed with skill and prudence, and accumulated a handsome estate. He was a leading citizen in his town and vicinity, of marked character and very decided opinions. In his private intercourse he was genial and social, and liked to tell a good story. He understood human nature well, especially the selfish side of it, such as his professional experience had often presented to him. One day an old mail carrier brought to him for collection a quantity of bills against the government for transporting the mails for several preceding years. "Have n't you been paid for this?" inquired Mr. Weeks in surprise. "No," answered the man, rather hesitatingly. In an instant it darted into the lawyer's mind that there had lately occurred a fire in the Post Office Department in Washington, by which it was said that a great quantity of papers had been destroyed. He looked his man in the eye, and said to him, meaningly, "The vouchers in the

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Post Office Department were not burned, as was at first reported. Shall I collect these bills?" The other gathered up his papers, and saying, "You need n't do anything about it till I see you again," disappeared, and never returned.

After 1861, when he relinquished legal practice, he lived upon his large farm outside the village of Canaan, and interested himself in its cultivation, and was especially proud of his nice flocks of sheep.

He married Mary E., daughter of Joseph Doe of Derry, July 28, 1833, and left five children. Two of his sons were members of the bar.

JOHN SULLIVAN WELLS.

Son of Edward and Margery (Hardy) Wells; born, Durham, October 18, 1803; practiced, Lancaster and Exeter; died, Exeter, August 1, 1860.

Mr. Wells was a grand-nephew of General John Sullivan of the Revolution. In early life he learned the trade of a cabinet-maker. But he was ambitious, and attended the academy at Pembroke for a time, in order to qualify himself to undertake the study of the law. He then entered the office of Daniel C. Atkinson at Sanbornton Bridge, at the same time teaching in the academy there to procure means of support. He finished his legal studies with William Mattocks of Peacham, Vermont, was admitted to the bar in 1828, and established himself in practice in Guildhall, Vermont. He remained there seven years, and then proceeded to Bangor, Maine, for a year; but not finding the place to his mind, he returned in 1836, and opened his office in Lancaster. Soon after his settlement there, he was made solicitor of the county of Coos, and acted in that capacity for two terms. He was chosen representative from Lancaster to the state legislature for three consecutive years, beginning in 1839, and in 1841 he was Speaker of the House.

In 1846 he quitted Lancaster and took up his residence under peculiarly favorable circumstances in Exeter, where he soon acquired a large and remunerative practice. He received the appointment of attorney-general, January 17, 1847, but it was not a position to his liking, and he resigned it after a few months. In 1851 and 1852 he was elected a state senator, and both years was made president. In January, 1855, he was appointed by the

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governor a senator of the United States to fill out the unexpired term of Moses Norris, deceased, and occupied his seat until March 4. Mr. Wells had been a candidate for the United States Senate two years before, and had failed of his election by only the narrowest margin; and though he was the candidate of his party for governor in 1856 and 1857, the political revolution which the State had undergone in 1854 left him in the minority. He held no public office after 1855, and was deeply disappointed in his political aspirations. He made no secret of this, but avowed that he had expended a large sum in politics, and had failed to realize his hopes.

As a lawyer, however, Mr. Wells was highly successful in obtaining money and reputation. He was a keen business man, and looked well after his fees. His professional knowledge was far above mediocrity, but he was not what would be called a diligent student. His engagements often called on him for strenuous and long-continued exertion, and he was always equal to the demand; but he liked the work of the jury trial, in which he was especially distinguished, better than that of consulting and comparing authorities.

Dartmouth College bestowed upon him the honorary degree of Master of Arts in 1857. He was happy in his domestic relations, a fond parent, and most interested in the welfare and happiness of his children.

His wife, to whom he was united in 1832, was Rebecca E., daughter of Josiah Bellows 2d of Lancaster. Three of their five or six children outlived him.

NATHANIEL WELLS.

Son of Rev. Nathaniel and Eunice (Hemmenway) Wells; born, Wells, Maine, February 28, 1805; practiced, Somersworth; died there, August 16, 1878.

Mr. Wells was educated at the Phillips Exeter Academy, his father having removed to Deerfield in 1812. Completing his academic course in 1826, he proceeded to Brunswick, Maine, where he engaged in trade, and for a while edited a weekly newspaper. In 1833 he went to Great Falls Village in Somersworth, then rising into importance, and pursued the study of the law with Winthrop A. Marston, while at the same time he taught

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schools in that place and in Dover. On his admission, he began the practice of the law in Somersworth, as a partner of Mr. Marston. He was well grounded in the principles of jurisprudence, and as an office lawyer, particularly, he was a model. His faculty of comprehending complicated statements of facts, and of giving to each its due share of importance, was extraordinary. The facility and accuracy with which he drew contracts and instruments of every kind, however multifarious the provisions and qualifications, was a source of wonder to less accomplished draftsmen. He seemed to take pleasure in disentangling knotty questions, as some men enjoy chess and other scientific games. His advice was uniformly shrewd, sensible, and well founded. He was the confidential counsel of the Great Falls and Conway Railroad, of the Great Falls Manufacturing Company, and of other corporations, and of many leading business concerns in his own and neighboring places. He did not often take an active part in the trials of their suits, being averse, by reason of natural diffidence and sensitiveness to criticism, to making his appearance in public. But he had a very important part in preparing their causes for trial.

Mr. Wells's intercourse with all was marked by courtesy and kindness. His character for integrity and honor was unblemished. With decided political convictions, he was no mere partisan. He once nominally held the office of postmaster, but the emoluments went to a friend. He was a member of the constitutional convention of 1850, but he never cared to undertake political office. In 1871 he received from Dartmouth College the honorary degree of Master of Arts.

His life was uneventful, but diligent, useful, and in every way worthy of respect.

He was married twice; first, to N. A. Wyman of Woburn, Massachusetts; second, to Harriet, daughter of James Thom, Esq., of Derry. By his first marriage he had one son; by his second, two daughters and two sons, one of whom is a lawyer in Somersworth.

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SAMUEL ISRAEL WELLS.

Son of Israel and Lucy (Lyon) Wells ; born, Shelburne, Massachusetts, c. 1790 ; Dartmouth College, 1814 ; admitted, 1819 ; practiced, Salisbury ; died, Portland, Maine, 1846 or 1847.

Mr. Wells graduated from college with a high standing as a scholar, and was at once engaged as preceptor of the academy at Salisbury, then a flourishing institution. In that position he remained two years, showing a rare faculty of imbuing his pupils with an enthusiasm for study. Then he entered the office of Richard Fletcher of the same town as a student of the law. In September, 1819, he took the office of his preceptor, who removed that year to Boston, Massachusetts. From that time to 1836 Mr. Wells continued to practice in Salisbury, and until the last two or three years thereof was regular in his habits and attentive to his business. In his office some of the most promising young men of the time were students, and to them he left the care of his "justice business," while he was himself diligently perusing the authorities of his profession and attending to clients, whom he heard courteously and fully, but never encouraged them to stay after their business was done. A lawyer of learning, he tried causes somewhat in the higher courts, but was diffident, impatient of opposition, and lacked readiness and self-possession. He aspired to a seat upon the bench, and about 1833 was encouraged to believe that he should receive it, but to his great mortification it went to another. He became disheartened and fell into habits of intemperance, from which friends induced him to amend, and he removed, in 1836, to Windham, Maine, to practice his profession, and later to Alabama as a teacher.

He was married in February, 1824, to Lucy, daughter of Rev. Mr. Kellogg of Windham, Maine, and was the father of five children.

JOHN WENTWORTH, JR.

Son of Hon. John and Joanna (Gilman) Wentworth ; born, Somersworth, July 14, 1745 ; Harvard College, 1768 ; practiced, Dover ; died there, January 10, 1787.

Mr. Wentworth was the son of a judge of the Superior Court. He studied law with William Parker of Portsmouth, and in 1771

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commenced practice in Dover, his only legal competitor at that time residing in the county being John Sullivan of Durham. The office of register of Probate was one of the prizes sought for a century ago by young lawyers, and Mr. Wentworth, on the first organization of the Probate Court in Strafford County, in 1773, secured that, and held it to the time of his decease.

In the revolutionary movements which began to exhibit themselves overtly in 1774, he took no passive part. He was chosen one of the Committee of Correspondence of his town, and in 1776 took his seat in the legislature. He served there as a representative up to 1781; then in the council till December, 1783, and in the Senate from June, 1784, to 1786. The last ten years of his life he was chosen moderator at nearly every annual meeting of Dover.

March 14, 1778, he was chosen a delegate to the Continental Congress for one year. He reached Yorktown, to which place Congress had adjourned, on the following 28th of May. On the way from his home thither he had deemed it prudent to be inoculated with the small-pox. The disease apparently left injurious effects upon his constitution. He was able to attend to his duties in Congress until the succeeding September, and then returned to his home. His connection with Congress was signalized by one act which will keep his name permanently in remembrance; he affixed his signature to the original Articles of Confederation of the United States in August, 1778. But though he was twice re-elected to Congress, first in 1778 and again in 1781, the feeble state of his health never allowed him to return thither.

Mr. Wentworth was of an amiable disposition and even temper, affable, and well liked. He was the farthest possible from encouraging resort to the law on account of the fees he should gain from it; he had no longing for the acquisition of property. He was a respectable but not a brilliant lawyer, and had no oratorical gifts. His influence came chiefly from his honesty, his sound sense, and his sincere patriotism.

He was married, in 1771, to Margaret, daughter of Joseph Frost of New Castle. They had four sons and three daughters. One of the daughters married Daniel M. Durell of Dover, and became the mother of Edward H. Durell, both of the legal profession. Paul, the youngest son of John Wentworth, Jr., was the father of "long" John Wentworth of Chicago, Illinois, and of Samuel H. Wentworth of Boston, Massachusetts, also lawyers.

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JOHN WENTWORTH.

Son of Thomas and Anne (Tasker) Wentworth ; born, Portsmouth, 1768 ; practiced, Portsmouth ; died, Paris, France.

This gentleman, who for some unknown reason was often styled *Sir* John, was while young taken to England by his mother upon her second marriage, and became a barrister at law of the Inner Temple, London. Between the years 1797 and 1799 he published a "Complete System of Pleading," in ten octavo volumes. About the same time he received the appointment of attorney-general of Prince Edward's Island. He made his appearance in Portsmouth not far from the year 1800. On the Fourth of July, 1804, he delivered an oration before the citizens of Portsmouth, which was published.

He probably gained credit for the production of his voluminous work on pleading, but upon examination it was found to be of small value. Lord Abinger pronounced it to be of "no authority at all; a vast collection of pleadings obtained from Mr. Lawes and one or two gentlemen, which he (Wentworth) threw together, and which I have found in a very long career of professional life to be in a great manner extremely incorrect." Mr. Wentworth had little business, and attained no considerable rank as a lawyer in New Hampshire. His habits were irregular, and he fell into reduced circumstances. The death of a relative of his wife in England brought her a handsome legacy, upon which, about the year 1816, she with her husband proceeded to London, and never returned to this country. His death occurred while he was on a visit to France.

He married, January 7, 1802, Martha, daughter of Colonel Michael Wentworth.

TAPPAN WENTWORTH.

Son of Isaac and Eleanor (Goudy) Wentworth ; born, Dover, February 24, 1802 ; admitted, 1826 ; practiced, Somersworth ; died, Lowell, Massachusetts, June 12, 1875.

Mr. Wentworth received his early education in the public schools of Dover. He became a clerk in a store, first in Portsmouth, and afterwards in South Berwick, Maine. There he attracted the notice of William Burleigh, a lawyer and member

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of Congress, by a clever article which he wrote in favor of the latter's reëlection. By Mr. Burleigh's invitation he entered his office as a student until he was admitted to the bar. He then began practice in Somersworth, and continued there seven years; and the fact that his gains amounted to a thousand dollars per year during that period tells well for his prudence and business capacity.

The rising manufacturing town of Lowell, Massachusetts, then offering a tempting opening, he removed there in 1833. Under the city charter of Lowell he was elected in 1836, and the four succeeding years, a member of her common council, and the last of those years was chosen its president. In 1851, 1859, 1863, and 1864 he was a representative from Lowell in the General Court, and in 1848, 1849, 1865, and 1866 was a state senator. In 1852 he was a member of the Thirty-third Congress of the United States. He was also a commissioner on the part of Massachusetts to settle the boundary line between that State and Rhode Island.

He held a prominent position at the Middlesex bar, and was very successful in the management of business for his clients, as well as for himself. He accumulated a large property, and as his only child died before him, he devised the bulk of it, after providing for his wife and some relatives, to Dartmouth College, as soon as it should, with accumulated interest, amount to half a million of dollars.

He married, January 20, 1842, Ann, daughter of General Solomon McNeil of Hillsborough. Their only child died at the age of ten years, in 1853.

BENJAMIN WEST.

Son of Rev. Thomas West; born, Rochester, Massachusetts, April 8, 1746; Harvard College, 1768; admitted, 1773; practiced, Charlestown; died there, July 27, 1817.

A sedate and even disposition distinguished Mr. West from his childhood up. By the help of his brother, Rev. Samuel West, he was enabled to enter Nassau Hall, whence after one year he migrated to Harvard College. He was a teacher two years, and then studied for the ministry with his brother. But a brief experience determined him to abandon the pulpit, and he began legal

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study with Abel Willard of Lancaster, Massachusetts. Simeon Olcott then received him as his partner in practice in Charlestown. Soon the Revolution interrupted all law business, and Mr. West, who desired to avoid the scenes of hostilities, accepted an invitation to visit South Carolina. But before long a British expedition was sent there, and Mr. West, who volunteered into a corps of home guards, was taken prisoner. Released after a short detention, he returned to Charlestown, and to law practice, which soon began to revive.

He now began to enjoy a business of much extent, which brought him money and reputation. It is probable that his legal learning was none too thorough, owing, as he himself said, to his discontinuance of study when he began to practice. But he had great discernment and sagacity, a wonderful gift of clear and lucid statement and of persuasion, and the art of succeeding. Jeremiah Mason, who admired him greatly, said: "In arguing cases of complicated and doubtful evidence before a jury, I have seldom, if ever, heard his superior." Daniel Webster affirmed that Mr. West was "one of the most successful advocates, if not the most successful, that ever practiced in the courts of New Hampshire; a person who, to singular powers of popular logic and persuasion, added the weight of the utmost purity and respectability of private character, and one who, if he had not always refused public office, could not have failed to make a figure in the national councils." Jeremiah Smith's biographer said "there was no man whom Mr. Smith remembered with a more affectionate respect than Mr. West. He excelled at the bar, particularly in the narration of facts."

Mr. West's retiring disposition induced him to decline public offices which were often urged upon him. In 1781 he was chosen a delegate to the Continental Congress; in 1786 he was appointed attorney-general of the State; in 1787 he was elected a member of the convention which framed the Constitution of the United States; in 1789 he was chosen a representative in Congress, and in 1802 he was appointed Judge of Probate, but he accepted neither of the positions. On being elected delegate to the convention to ratify the United States Constitution, however, he considered the occasion so important that he did not refuse the office, though he was a silent member, and on being urged to speak, to gratify the expectations of those who had heard of his

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oratorical reputation, he modestly answered: "If people who never heard me now think well of me I am unwilling by my own act to destroy that opinion." It is said that he never arose to speak in public without a nervous tremor, and would willingly have given thrice the amount of his fees to be excused from arguing an important cause in court.

In 1814, when he was selected by delegates from twenty towns to attend the "Hartford Convention," he accepted the position from the highest motives of patriotism. A friend attempted to dissuade him from taking part in it by suggesting that he might incur the risk of the punishment for treason; to which Mr. West with sincerity replied: "If that be so, I shall consider myself fortunate that I, who am old and useless, shall be the means of saving the neck of a younger and better man."

Mr. West in the trial of causes never wrangled nor descended to abuse. He systematically avoided quarrels and enmities with opponents, parties, witnesses, and counsel. "In social intercourse his manners were simple, but always courteous and urbane. He had a delicate and refined wit, and was fond of it in others; his manner of living was simple, exceedingly neat, and approaching to elegance; he indulged in a liberal hospitality entirely free from ostentation. In short, he was a gentleman in the true and best sense of the term." He never wished for riches, but retired from practice when he had acquired a sufficient property, and lived afterwards in tranquillity.

His first wife, whom he married about the year 1780, was a daughter of Rev. Thaddeus Maccarty of Worcester, Massachusetts. She died in 1803, and three years later he married Fanny, daughter of Joshua Atherton and widow of William Gordon of Amherst, a lady on whom Jeremiah Smith passed the eulogy that "she loved to wait on others."

He had no children.

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EDWARD BARKER WEST.

Son of William and Mary (Barker) West; born, Concord, April 1, 1822; Dartmouth College, 1844; practiced, Warner and Nashua; died, Portsmouth, July 18, 1887.

The subject of this sketch was fitted for college at the academy in Plainfield. Soon after his graduation from college he was applied to by Governor Isaac Hill, to whom President Andrew Jackson had written to recommend a suitable person to be private tutor in his family, to take that situation; and Mr. West proceeded to Tennessee and resided a year in the "Hermitage" in that capacity. Returning then to New England, he studied law in the office of Marcus Morton, Jr., in Boston, Massachusetts, and was admitted in 1848.

He established himself in Warner for four years, and in 1853 removed to Nashua. He practiced there till 1843, and then removed to Portsmouth to take the place of paymaster's clerk at the navy yard. He continued to discharge the duties of that office till a few years prior to his decease.

Mr. West is remembered as a bright, pleasant boy, of quick parts and full of quaint conceits. In college he was popular, and maintained a creditable stand in scholarship, though it was felt by those who knew him that he was capable of accomplishing more by greater exertion. It is doubtful if he found himself at home in the law, since he relinquished it for employment requiring merely clerical qualifications.

He married, October 14, 1857, Louisa J., daughter of William D. Beasom of Nashua. She with one of their three children survived him.

PRESBURY WEST, JR.

Son of Hon. Presbury West; born, St. Johnsbury, Vermont, c. 1795; admitted, 1823; practiced, Manchester and Amherst; died, Jefferson (?), May, 1858.

Mr. West studied his profession with Isaac Fletcher of Lyndon, Vermont, was admitted an attorney in Caledonia County, and from 1825 to 1837 practiced in Thetford in the same State. There he had quite an extensive business, the justice part of which

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was for a time attended to by his student, George W. Morrison, afterwards of Manchester; and when Mr. West came to New Hampshire about 1844, he became associated in practice with Mr. Morrison. For a short time in 1845 he sojourned in Amherst, but soon returned to Manchester.

Mr. West was a quiet, unobtrusive man, and attended especially to the office business of the firm, drawing instruments and the like, and rarely if ever appearing in court; while Mr. Morrison tried the causes. After a stay of some five or six years in Manchester, Mr. West moved to Jefferson, and was employed in lumbering, and never, it is believed, engaged in law business afterwards.

His wife was Mercy, daughter of Rev. Asa Barton, D. D., of Thetford, Vermont.

SAMUEL WEST.

Son of Rev. Samuel West; born, Boston, Massachusetts, 1771; Harvard College, 1788; admitted, 1792; practiced, Walpole, Charlestown, and Keene; died, Keene, January 30, 1810.

This brilliant young lawyer was probably a clerk in the office of his uncle, Benjamin West of Charlestown, through his preparation for the bar, and set up in practice in Walpole in 1793. About 1799 he removed to Keene, and made his home there afterwards, with the exception, perhaps, of a short stay at Charlestown. On the 22d of February, 1800, at the request of the inhabitants of Keene, he pronounced a eulogy upon George Washington. "From the well-known abilities of the orator," it was remarked in a contemporary journal, "the public expectation was raised, and it was not disappointed."

Mr. West was one of the coterie of youthful literary spirits who aided Joseph Dennie in conducting the "Farmer's Museum" at Walpole, in its palmy days. He has been pronounced "a most brilliant advocate and eloquent lawyer."

NATHANIEL WAITE WESTGATE.

Son of Earl and Elizabeth (Waite) Westgate; born, Plainfield, January 26, 1801; admitted, 1827; practiced, Enfield and Haverhill; died, Haverhill, December 16, 1890.

At the age of fifteen young Westgate was attacked by a serious illness, which left him permanently lame. He then went through

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the course of study prescribed for entrance to college, at the Kimball Union Academy in Plainfield. By teaching schools in the winter, and reading law at the other seasons of the year under the direction of Charles Flanders in his native town, he qualified himself to enter the bar when he was twenty-six years of age, and established himself in Enfield Centre, where he acquired a practice of considerable extent in Grafton and Sullivan counties. After remaining there twenty-nine years, and holding several town offices of trust, he received in 1856 the appointment of register of Probate for the county of Grafton, which required his removal to Haverhill.

Nathaniel S. Berry was then the Judge of Probate, and five years afterwards was elected governor of the State, upon which Mr. Westgate was promoted to the office of judge. Such he remained, to universal acceptance, until 1871, when he reached the constitutional limit of age. For nearly ten years longer, however, he continued in the practice of his profession, and then withdrew from active life to the retirement of his home. He long enjoyed a large and profitable practice, and in addition to bringing up and educating his considerable family, he accumulated a handsome property.

His first wife was Lydia J., daughter of Dr. Prentiss of Springfield. She died childless after five years of married life. November 14, 1842, he married Louise, daughter of Austin Tyler of Claremont, who was the mother of his six children, and survived him. Two of his sons have held the offices in the Probate Court of Grafton County which he successively filled, — Tyler Westgate that of judge, and William F. Westgate that of register. The latter is a lawyer by profession.

GEORGE WHEELER.

Son of Moses and Pamela (Putnam) Wheeler; born, Charlestown, November 2, 1782; Dartmouth College, 1807; practiced, Hanover; died, Troy, New York, 1870.

Mr. Wheeler studied his profession with Stephen Ross of Troy, New York, and began practice there in 1810, but soon removed to Elizabethtown, New Jersey. In 1815 he came to Hanover, and was for a while the partner of Mills Olcott. In 1821 he was commissioned postmaster, and so continued until 1829. He returned

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to Troy in 1830, and pursued his profession so long as his health and strength permitted.

His wife, whom he married July 6, 1816, was Mary, daughter of James Wheelock of Hanover.

SAMUEL METCALF WHEELER.

Son of Albira and Melita (Metcalf) Wheeler; born, Newport, May 11, 1823; admitted, 1847; practiced, Newport, Concord, and Dover; died, Dover, January 21, 1886.

Mr. Wheeler's early education was obtained at the seminaries in Claremont and in Newbury, Vermont, and at the military academy in Windsor, Vermont. He studied law with Walker and Slade in Royalton, with Tracy and Converse in Woodstock, Vermont, and with Ralph Metcalf in Newport; and commenced practice in 1847 in the town last named. After a year he removed to Fisherville in Concord, and practiced there four or five years. He then went in 1853 to Dover, and formed a business connection with John H. Wiggins, and at once entered into a large practice. This he retained for a quarter of a century, having for a time Joshua G. Hall as his partner, and afterwards alone. He was a leading member of the bar, an efficient bank officer, and a prominent politician. He was a representative in the General Court in 1864 and 1865, and again in 1868, 1869, and 1870. The last two years he was chosen Speaker. In 1876 he was a delegate to the convention to revise the state Constitution. In these several bodies he occupied a prominent position as a debater and in committee. He was president of the Dover National Bank, and the State Bank which was merged in it, from 1858 to 1874. In 1866 the trustees of Dartmouth College granted him the honorary degree of Master of Arts.

Mr. Wheeler was a well-read lawyer, and studied his cases with care and fidelity. He was consulted and retained in a large proportion of the most important suits arising in his county and vicinity, and was the general attorney of several corporations. His business in the law courts was carefully prepared, and ably presented, but he was at his best in trials before the jury. He had a thorough acquaintance with the points of view and modes of judgment of the mass of the people. He could adapt himself to their prejudices, and understood well how to make the

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most of the accidents of a trial, a word indiscreetly dropped, the refusal of the adverse party to grant an accommodation, and the like. A distinguished judge remarked that no other lawyer in New Hampshire understood a jury so well as Mr. Wheeler. His political aspirations were never fully realized. He was again and again a candidate for a congressional nomination, and twice believed that he had the prize within his grasp, but on each occasion was defeated by a majority of a single vote. He was undoubtedly soured by his want of success, and perhaps was in part led by it into an irregularity of habits which grew upon him toward the close of his life.

He married, December 31, 1848, Priscilla E., daughter of Joseph W. Clement of Franklin. His wife and a daughter outlived him.

WILLIAM PLUMER WHEELER, LL. D.

Son of Colonel Nathaniel and Huldah (Whipple) Wheeler; born, Croydon, July 31, 1812; admitted, 1842; practiced, Keene; died, Brooklyn, New York, May 10, 1876.

Mr. Wheeler learned, and for several years practiced, the trade of a harness maker; but feeling that the law would be a more congenial calling, he resolved to educate himself for that profession. He studied in the academy at Newport, and at the Kimball Union Academy at Plainfield, some three or four years, and then went into an office at Keene, and attended lectures at the Harvard Law School, where he had the degree of LL. B. in 1842.

He established himself in practice at Keene. When he had been at the bar but three years, he was complimented with the office of solicitor of Cheshire County, and at the end of his five years' term was reappointed. In 1851 he was named one of the justices of the state Court of Common Pleas, but declined the appointment, as at a later date he did also the offer of a seat upon the bench of the Superior Court. In 1855 and 1857 he was the candidate of his political party for representative in Congress, but his party being in the minority, he was not elected.

In 1849 he received as a partner Francis A. Faulkner. The two gentlemen were peculiarly fitted for this connection. Mr. Faulkner preferred to take charge of the office business, and act as junior in trials in court, — a department which his faithful and

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accurate habits and professional knowledge enabled him to administer with complete success. Mr. Wheeler was equally painstaking and attentive to business, and was a learned lawyer, the ablest advocate in his county, and one of the first in the State. For nearly thirty years the firm enjoyed a remarkably extensive and successful practice, and were engaged in nearly every case of importance tried in Cheshire, if not also in Sullivan, County.

Mr. Wheeler was of quiet manners, and averse to display. His excellent judgment and business capacity called him to many positions of trust, private and public. He was particularly interested in the State Agricultural College, served as one of its trustees, and obtained for it valuable donations.

From Dartmouth College he received the degree of A. M. in 1850, and that of LL. D. in 1872. His death occurred while he was absent from his home on business.

He was married, November 19, 1849, to Sarah D. Moulton of Randolph, Vermont. They had two children.

JAMES RIPLEY WHEELOCK.

Son of James and Abigail (Kinsman) Wheelock ; born, Hanover, March 30, 1790 ; Dartmouth College, 1807 ; practiced, Hanover ; died, Boston, Massachusetts, November 24, 1841.

This grandson of the first president of Dartmouth College received his preliminary education, doubtless, in Moor's Charity School, and after he left college studied law and settled, first, in Royalton, Vermont. In 1813 he was admitted to the bar of Grafton County, and opened an office in Hanover. There he remained until 1817, and then decided to change his profession. He studied divinity under Rev. Thomas A. Merrill at Middlebury, Vermont, and was settled as a minister in several places in this and other States until 1839, when he went to Boston, Massachusetts, in the hope to restore his shattered health, a hope which was never realized.

He married, first, Delia, daughter of Dr. William Boss of Middlebury, Vermont, February 11, 1819 ; and, second, Laura Hale of Norwich, Vermont.

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GEORGE ALBERT WHEELWRIGHT.

Born, Bangor, Maine, January 3, 1818; Bowdoin College, 1837; practiced, Seabrook; died, Wells, Maine, September 8, 1882.

This gentleman, after leaving college, was employed as a teacher in Hampden, Maine, and in South Carolina. He spent some years in the Southern States, beginning the study of the law in Fredericksburg, Virginia, and is said to have been admitted in the highest court in Kentucky. But his infirm health interfered seriously with his practice.

He came to Seabrook from Wells, Maine, about the year 1844, and was admitted to the bar in Rockingham County. He did little legal business, however, but was chiefly employed in teaching while in Seabrook, being particularly successful therein. He was also the superintendent of schools.

On leaving Seabrook, after two or three years' stay, he returned to Maine. A plan of establishing a private school in Portland he was obliged to relinquish on account of his uncertain health. He retired upon a farm in Wells, and there spent his later years.

His wife was Katharine McKay, and he had no children.

THOMAS JEFFERSON WHIPPLE.

Son of Dr. Thomas and Mary (Tabor) Whipple; born, Wentworth, January 30, 1816; Norwich University, 1839; admitted, 1840; practiced, Wentworth and Laconia; died, Laconia, December 21, 1889.

Mr. Whipple was educated in the academies of New Hampton and Bradford, and at Norwich University, where he imbibed the military taste and knowledge which he exhibited in later life. It was characteristic of him that when he went into a neighboring town, after the fashion of New England youth, to earn a little money by teaching, he advertised for pupils in fencing and penmanship. He began to read law when he was eighteen, with Josiah Quincy of Rumney, and finished his studies some years later with Salmon P. Wiers of Johnson, Vermont. The first five years of his practice he passed in Wentworth, and then removed to Gilford, afterwards Laconia, his subsequent home.

Five years afterward the Mexican war broke out, and young

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Whipple's soldierly predilections naturally carried him into the corps of volunteers. He was commissioned adjutant of the Ninth Regiment, commanded by Colonel Ransom. He had scarcely arrived in Mexico, when he was made prisoner by a party of guerrillas. He was treated kindly, and soon exchanged. He distinguished himself in action, and was made assistant adjutant-general on the staff of General Lewis.

In the early part of 1848 he resigned from the army, and returned home to the practice of the law. He was assistant clerk of the New Hampshire House of Representatives four years, beginning with 1848, and was chosen clerk in 1852, but declined the office. Of the constitutional convention of 1850 he was the secretary, and in that of 1876 he sat as a delegate. But he was no office-seeker, upon principle.

The second opportunity for him to serve his country in a military capacity came with President Lincoln's first call for volunteers in defense of the Union, in 1861. In the First Regiment of New Hampshire he served as lieutenant-colonel. When his term of three months was over, he was immediately promoted to the colonelcy of the Fourth Regiment. After some months' service in the field he resigned that position, and was tendered the command of the Twelfth Regiment, which, however, he did not accept. He was every inch a soldier, brave, even to rashness, a strict disciplinarian, but ever attentive to the needs of the men of his command, all of whom held him in admiration and regard.

In Colonel Whipple's practice at the bar, the qualities he had inherited from his father, an eloquent member of Congress, of much independence of character, and a principal supporter in the legislature of the Toleration Act of 1819, were conspicuous. He had the same freedom of opinions, the same, and even greater, originality, power of illustration, and fluency and skill in public speaking. After his return from Mexico he served two or three years as county solicitor, and his facility in the conduct of cases in court brought him retainers in important suits, and for years he was a leading lawyer in his county, engaged in the trial of the principal matters in litigation, and being the general counsel of wealthy corporations, as of the Concord and Montreal Railroad, and the Winnepesaukee Cotton and Woolen Manufacturing Company. He was a good lawyer and a judicious adviser, but his greatest successes were won in the encounters of the forum.

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There his peculiar powers had full play. He was rapid, acute, adroit, with an exuberance of wit, and a power of marshaling epithets that was simply unsurpassable. At his humorous sallies the whole court-room, from the judge on the bench to the messenger at the door, sometimes lost their gravity and laughed in concert.

In an action of trespass *qu. cl.*, where the question was concerning a boundary line, Colonel Whipple's client put in evidence a plan drawn by a common country surveyor. His sharp opponent had employed to make *his* plan a civil engineer then engaged in laying out a railroad line in the neighborhood, and fancied he had scored an advantage by the operation. But Colonel Whipple stood up for *his* surveyor. "In cities," said he, "where land is very valuable, it may be important to use new-fangled instruments, theodolites and verniers, to locate the lines; but in the country, where land is plenty and cheap, *a common box-trap with a spindle in it* is just as good as anything!"

Abundance of anecdotes illustrating Colonel Whipple's quaint humor have gone the rounds of the bar, but they cannot do him justice, separated from their original setting, and lacking the peculiar personality, the flash of the keen blue eye, and the meaning intonation that gave them so much of their flavor.

With all his readiness and offhand wit, he was said to be a painstaking attorney, and he managed a large practice for many years with great success. At all gatherings, legal, political, and social, he was a marked and well-known character. He was usually the centre of a circle of admirers, loth to lose any of the keen and original expressions that fell from his lips.

Colonel Whipple was possessed of wide information, conversed interestingly, and was a most genial comrade. Indeed, his failings were on the side of his boon companionship and conviviality. His friends would gladly forget his frailties in view of the many manly and lovable qualities which adorned his character. He was strictly upright in his dealings, he was honest and truthful, a good and generous friend and neighbor. With a wide acquaintance, he had few enemies, and a great many sincere admirers and well-wishers.

He took to wife, in 1842, Belinda Hadley of Rumney. They had one child, a daughter.

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JOHN WHIPPLE.

Son of Benjamin and Sarah (Tuttle) Whipple ; born, Hamilton, Massachusetts, January 21, 1789 ; Dartmouth College, 1812 ; practiced, Dunbarton, Hooksett, Hopkinton, and Concord ; died, Concord, August 28, 1857.

Mr. Whipple was a teacher in Gloucester, Massachusetts, for a year and a half, and then studied law with Baruch Chase at Hopkinton. He made his first essay in practice in that part of Dunbarton which is now Hooksett, in 1817, and continued there, holding the office of postmaster, a year after Hooksett was incorporated, and then removed to Hopkinton. While there he was chosen assistant clerk of the state Senate from 1829 to 1832. In 1833 he went to Concord to live, being elected register of deeds for Merrimac County. That position he filled till 1836. In 1834 he received the appointment of county solicitor and served throughout his term of five years. He was also for a time Secretary of State, was for several years treasurer of the New England Fire Insurance Company, and at the time of his death had been justice of the Police Court about two years.

His office practice was considerable, but he probably did not attempt to deal with legal questions of difficulty. His library contained few volumes beyond the statutes of the State and the usual handbooks of practice.

He married, October 1, 1818, Hannah R., daughter of Ithamar Chase of Keene, and sister of Salmon P. Chase. She died, leaving him two daughters. He again married in November, 1856, Mrs. Means of Boston, Massachusetts.

OLIVER WHIPPLE.

Born, Rhode Island, c. 1743 ; Harvard College, 1766 ; practiced, Portsmouth and Hampton ; died, Georgetown, Maryland, April, 1813.

When Mr. Whipple was proposed for admission in Portsmouth, the other lawyers of the town, it is said, made him promise that he would not begin practice there, for fear, doubtless, that there was not sufficient business to support another member of the profession. But once admitted, he gave notice in the newspaper to "the gentlemen of Portsmouth" that he would open an office there for the transaction of law business, etc. At the instance of

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Major Hale, Wyseman Clagett answered his advertisement in the next issue of the paper, in the following strain : —

"'Your advertisement won't prevail,
Friend Oliver,' quoth Major Hale,
'Though worded nice as may be,
You advertise that now and then
You do law jobs for "gentlemen,"
But not a word of "lady."

"'Like me extend your generous aid
From Mother Hicks to Joan her maid,
And set it down in print, sir.
The ladies then will you surround,
In business you will soon abound,
And thank me for the hint, sir.'"

Mr. Whipple received employment as attorney of Dr. Sylvester Gardiner of Boston, in connection with his extensive landed property in Maine. The handsome young lawyer was taken captive by the charms of his client's daughter Abigail, and an attachment quickly grew up between them. Shortly before the Revolution they were married. Dr. Gardiner's family was one of wealth and position, and distinguished for intense loyalty to the crown of England, and the newly wedded pair received calls from Admiral Graves, Secretary Flucker, General Gage, Mr., afterwards Sir, William Pepperell, and various other persons of the highest social standing in Boston, all identified with the royal cause.

When hostilities opened, and the lines began to be strictly drawn between the friends and the opponents of the popular movement, Mr. Whipple was naturally suspected of belonging to the latter class. It appears that he and fourteen others, residents of Portsmouth, were apprehended by order of the committee of safety of that town as notoriously disaffected to the American cause, and were escorted by a squad of Colonel Langdon's light infantry, under the command of a sergeant, to the provincial committee of safety at Exeter, by whom they were examined and required to give bonds to remain good and peaceable subjects of the State, and not to do anything in opposition to the cause of America.

Notwithstanding that his father-in-law cast his fortunes with the mother country so that he lost by confiscation his extensive estates,[1] it does not appear that Mr. Whipple was ever again

[1] His heirs, however, by reason of some informality in the proceedings, recovered them.

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suspected of want of attachment to his country's cause. It is possible, however, that his wife and himself did not entertain like feelings in regard to the change of government, for they were divorced, and for a time lived apart. But as they were strongly attached to one another, the cause of their estrangement, whatever it was, afterwards passed away, and they were remarried.

On this event a well-known wit and versifier of that day, Jonathan M. Sewall, produced these lines: —

"Divorced, like scissors rent in twain,
Both mourned the rivet out;
Now whet and riveted again,
You 'll make the old shears cut."

Mr. Whipple resided in Portsmouth above twenty years, and then removed to Hampton, where he made his home for about twelve years more. He represented the latter town in the legislature five years, and during his stay there published two poems in pamphlet form, entitled "The Confessional Tears of a Louis d'Or," 1794, and "The Historic Progress of Liberty," 1802.

He was well educated, with more than usual literary taste, and was a lawyer of considerable practice. He was courteous, agreeable, and interesting. When he quitted Hampton he is understood to have taken up his abode in Washington, District of Columbia, or its vicinity. He left descendants.

DAVID S. WHITCHER.

Son of Samuel and Emily (Quimby) Whitcher; born, Landaff (now Easton), November 30, 1846; admitted, 1876; practiced, Littleton; died there, March 14, 1881.

The time of the subject of this sketch was given until the age of nineteen to the work of the farm and the mill. Then, with only the instruction of the district school, he attended the New Hampshire Conference Seminary at Tilton, and the New Hampton Literary Institution till his graduation in 1871. In the offices of the brothers Rand and of Bingham and Mitchell of Littleton he completed his law studies, and in that town he began practice. He was at the bar only five years. His health had suffered from overwork as a student, but he pursued his profession undauntedly to the last. He was a growing lawyer, with no large business, but what he had was well done. Only time and strength were wanting to him.

He was unmarried.

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JOHN HUBBARD WHITE.

Son of Amos and Sarah White; born, Dover, November 30, 1802; Bowdoin College, 1822; practiced, Dover; died there, September 7, 1882.

At Wakefield Academy Mr. White completed his preparation for college; and with James Bartlett and Charles W. Cutter, at Dover, he fitted himself for admission to the bar, which was effected in 1826. He then commenced in Dover his practice of fifty-six years. In 1828 he was appointed postmaster, but was removed the next year for political reasons. In 1833 and 1834 he was a representative in the legislature. He was appointed register of Probate in 1849, and so continued till 1857; and for the last five years of that time he filled also the office of judge of the Police Court. He was for many years a trustee of the Franklin Academy and librarian of the Dover public library.

Judge White was a wise and prudent counselor, though his retiring disposition held him aloof from the conflicts of the court-room. He was a well-read lawyer, and, especially in the department of probate law, with which long experience had given him special familiarity, had few superiors.

He was a great reader, and no little of an antiquary. His appreciation of all that was quaint and humorous in conduct or character was keen, and his memory was tenacious and exact up to the close of his life. The writer is indebted to him for reminiscences of several of the lawyers of his early acquaintance, whose memory had otherwise almost passed into oblivion. He was a thoroughly upright man, and led a life of honor and usefulness.

He was married, April 30, 1828, to Rebecca E. W., daughter of Hon. Andrew Pierce of Dover. They had six children.

JOSEPH WARREN WHITE.

Son of Rev. Broughton and Ruth (Sabin) White; born, Chesterfield, October 18, 1799; admitted, 1826; practiced, Portsmouth.

The father of this gentleman became somewhat noted as a revivalist, and was at the time of his son's birth the preceptor of the academy in Chesterfield. The son studied law with Abraham B. Story in Washington, where his father was at that time the settled minister, and completed his preparation for the bar with Levi Woodbury of Portsmouth, whose partner he afterwards became.

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Mr. White had been in Portsmouth only two years after his admission when he sailed for England, as agent to recover an estate which, for want of nearer heirs, was thought to devolve on the Slade family of Portsmouth.

From this time forward his history is enveloped in obscurity. Rumors that he had committed some crime for which he had suffered the severest penalty of the law were at one time in circulation, but were apparently disproved by authority when inquired into. The latest opinion appears to be that his habits had become extravagant and dissipated, and that he deserted his wife and family.

He was married, August 29, 1826, to Letitia, daughter of Abraham B. Story of Washington. They had a son and a daughter.

SAMUEL WHITING.

Son of Samuel and Anstress (Barker) Whiting; born, Amherst, 1797; Dartmouth University, 1818; admitted, 1821; practiced, Mason; died there, September 24, 1829.

Mr. Whiting was a descendant in the seventh generation from Rev. Samuel Whiting of Lynn, Massachusetts. His father was a trader in Amherst who died when this son was about eight years old. He completed his law education in the office of Aaron F. Sawyer at Mont Vernon, and set up practice in Mason, but lived only a few years afterward.

He married, July 3, 1827, Hannah, daughter of Hubbard Russell of Mason, who outlived her husband several years.

ZACHARIAH GARDNER WHITMAN.

Son of Hon. Benjamin Whitman; born, Providence, Rhode Island, February 10, 1789; Harvard College, 1807; practiced, Boscawen; died there, 1840.

The father of Mr. Whitman was a lawyer in practice in Boston, Massachusetts, where probably the son's preliminary education was obtained. He studied law under his father's direction, and for a number of years practiced with him in Boston. In 1831 he came into New Hampshire and established himself in the west parish of Boscawen as the successor of Francis Cogswell.

He possessed respectable talents and a good education, and

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had seen cultivated society. He had a fair practice, though he usually employed some other counsel to assist him in the trial of contested cases. In one important action, however, for the flowage of land, which he brought, and which was long and sharply contested, the brief and written argument which he furnished the law court are said by tradition to have been particularly creditable. He was chosen a member of the New Hampshire Historical Society in 1838.

Had his habits been those of sobriety, there is no doubt that he had qualities which would have raised him to some distinction at the bar; but it is said that he was inclined to dissipation.

He was married in Boscawen.

AARON WHITTEMORE, JR.

Son of Hon. Aaron and Arianah S. (Barstow) Whittemore; born, Pembroke, January 18, 1849; admitted, 1870; practiced, Pittsfield; died there, May 4, 1885.

Mr. Whittemore obtained his education at Pembroke in the Blanchard Academy, and read law with John M. Shirley of Andover and at the Harvard Law School. He opened his office in Pittsfield in 1870, and in the fifteen years of his residence there, acquired an extensive practice. His inclination for military exercises led him to join a company of the National Guard, of which he was chosen captain and was in command for five years. He was then appointed a major on the staff of the brigadier-general. Entering actively into political affairs, he was elected in 1883 a member of the state Senate, and made himself prominent there.

He joined to his legal training sound discretion and business sagacity, and his integrity commanded no less confidence than his judgment and clear-sightedness. He was a trustee of the Farmers' Savings Bank and of the Aqueduct Company of Pittsfield. He possessed qualities that gave him much popularity with the large circle of his acquaintance.

He was married, and left a widow, two sons, and a daughter.

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BERNARD BEMIS WHITTEMORE.

Son of Bernard and Jane (Holmes) Whittemore ; born, Boston, Massachusetts, May 15, 1817 ; Harvard College, 1839 ; admitted, 1842 ; practiced Amherst ; died, Cambridge, Massachusetts, March 5, 1893.

It was at the Phillips Exeter Academy that Mr. Whittemore was prepared for college. He studied for the bar with Charles G. Atherton and with George Y. Sawyer at Nashua, and at the Harvard Law School. His professional practice was substantially begun and ended at Amherst, between 1842 and 1846. In the latter year he moved to Nashua to take the charge, in connection with his brother, F. P. Whittemore, of the "Nashua Gazette," a political weekly journal. In the conduct of this paper, which was subsequently enlarged, improved, and issued also in a daily edition, he spent the succeeding forty-three years. This was really the work of his life, and to it he devoted his best powers. He was a pleasant and forcible writer, an uncompromising exponent of the principles of his party, and an upright and honorable man. He served as a member of the state Senate in 1852 and 1863, as an alderman of Nashua in 1860, as city treasurer in 1861, and as a trustee of the public library from its foundation till his decease.

He was a diligent reader, and had a prodigious fund of information upon all subjects, especially those connected with political history. He never lost his acquaintance with his original calling, and his opinions upon legal questions were much relied on. By all classes he was highly respected.

He never married.

JAMES WHITTLE.

Son of William and Rachel (Parker) Whittle ; born, Weare, July 18, 1800 ; Dartmouth College, 1823 ; admitted, 1827 ; practiced, Bradford and Concord ; died, Cape Girardeau, Missouri, 1837.

The sum of this gentleman's practice in New Hampshire was not above two or three years. He studied law with Samuel Fletcher of Concord, and Richard Fletcher of Boston, Massachusetts, where he was admitted and began practice in 1827. The

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next year he returned to New Hampshire, and went into practice at Bradford, Concord, and perhaps elsewhere, but about 1830 emigrated to Missouri, where he was an editor, and died at the age of thirty-seven.

DAVID FOLSOM WHITTLE.

Son of Thomas and Mary (Folsom) Whittle; born, Deering, 1824; practiced, Manchester and Nashua; died, Medford, Massachusetts, January 27, 1887.

Mr. Whittle obtained his education at Henniker Academy, and was fitted for his profession at the Harvard Law School, and in the office of George Barstow at Manchester. He commenced practice at Manchester. After remaining there four years, he removed to Nashua. He took a fair stand as a lawyer, being sufficiently versed in the law, but was said to have lacked confidence in himself. Having continued in Nashua eight years, he determined to adopt farming as his future occupation, and removed to Deering in 1860. While there, in addition to his agricultural employment, he performed for a time the duties of assistant assessor of internal revenue.

He was married, in 1850, to Charlotte T. Nichols of Concord. They had three children.

ANDREW WIGGIN.

Son of Zebulon and Mary (Odell) Wiggin; born, Stratham, October 9, 1826; admitted, 1861; practiced, Exeter; died, Stratham, February 5, 1893.

Mr. Wiggin probably received his education in the town of his nativity, and prosecuted his professional studies in the office of William W. Stickney at Exeter. In this place he commenced to practice in 1861, and remained five years, after which he opened his office in Boston, Massachusetts, and practiced there for the remaining twenty-two years of his life. He was said to be a lawyer of good attainments, and stood well in his profession.

He was married, in Boston, to Elvira L. Hamlin, in March, 1866.

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JOHN H. WIGGINS.

Born, Pleasant Valley, New York, 1820 ; practiced, Dover ; died abroad.

This gentleman began to practice in Dover about the year 1844. Energetic, active, and acquainted with human nature, as well as sufficiently educated in the law, he secured a practice of some extent. In 1849 and 1852 he was a representative in the legislature, and in 1850 a delegate to the constitutional convention. He appeared a good deal in the courts, and was rather a forcible advocate ; and at one time was associated with John P. Hale. Subsequently he was engaged in business schemes which required him to give up his residence in Dover. For some time he lived in Boston, Massachusetts ; in 1877 he was in practice as an attorney in London, England, and it is believed that his death took place in Paris, France.

His wife was Nancy D., daughter of Benjamin Wiggin of Dover. They had one daughter.

JEDUTHUN WILCOX.

Son of John and Eunice (Norton) Wilcox ; born, Middletown, Connecticut, 1769 ; admitted, 1802 ; practiced, Orford ; died there, July 18, 1838.

The family tradition is that the paternal ancestors of Mr. Wilcox were sturdy Quakers. He spent his youth in the town of his birth, and learned the trade of a saddler. At the age of nearly thirty he pursued the study of the law under the direction of Benjamin J. Gilbert at Hanover, and established himself in practice in Orford.

He was thoroughly read in his profession, and was especially noted for his knowledge of pleading, a study then pursued with more assiduity than now, when a "brief statement" does away with the whole beautiful structure of plea, replication, rejoinder, and so forth, and when the liberality of the law in granting amendments puts the tyro nearly on a level with the most accomplished follower of Chitty. A good pleader was necessarily a good lawyer, and such was Mr. Wilcox. He possessed a logical mind, great readiness of speech, and an agreeable voice. For a number of years he was the leading lawyer of his town and vicinity.

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He had likewise an inclination towards political life, and was elected in 1809, 1810, and 1811 to the legislature of the State, and in 1813 to the Congress of the United States, where he was retained till 1817.

His career, legal and political, was checked by the failure of his sense of hearing. He retired to his farm, on which he labored with his men, and rarely appeared in public, except on town-meeting days, when he took part in the discussion of any matters of importance that came up for consideration, with his former vigor and fluency, it is said.

He was married, at the age of about twenty-five, to Sarah Fisk of Braintree, Massachusetts. After her death he was united to Elizabeth Todd of Orford. By the former he had one son, who became a lawyer and a judge; by the latter six daughters.

JAMES McKEAN WILKINS.

Son of Jonathan and Susannah (Towne) Wilkins; born, Amherst, December 15, 1784; Dartmouth College, 1812; practiced, Bedford and Manchester; died, Manchester, January 18, 1855.

James Wilkins was apprenticed at an early age to George McKean of Amherst, from whom he took his middle name. With him he removed into Maine, where he had no suitable opportunity for instruction, so that at the age of nineteen he was unable to write or read. Mortified by his ignorance, he formed the resolution to acquire an education, and applied himself to study. By perseverance and careful economy he succeeded in obtaining a collegiate degree. He then taught schools for a few years, and accomplished his term of legal study with Daniel Abbott of Nashua, and Asahel Stearns of Massachusetts.

He commenced practice in Piscataquog village in Bedford in 1819, and remained there twenty years. He was representative in 1836 and 1837; senator in 1838 and 1839, and president of the Senate in the latter year; and councilor in 1842 and 1843. In 1840 he removed to Manchester.

He was a lawyer of very respectable talents and attainments, and acquired a large business, chiefly of the "office" character, which he made very profitable. At his death he bequeathed a liberal sum for establishing a reformatory for juvenile offenders, which, being supplemented by the needful appropriations on the

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part of the State, resulted in the formation of the present State Industrial School, a most useful and beneficial institution.

He never married.

ELIJAH WILLIAMS.

Son of Major Elisha Williams ; born, Deerfield, Massachusetts, 1746 ; Harvard College, 1764 ; practiced, Keene ; died there, 1793.

This gentleman practiced in Deerfield, and in Mendon, Massachusetts, before he came, about the year 1771, to Keene. Shortly afterwards he received from Governor Wentworth the appointment of justice of the peace, and in 1773 Dartmouth College conferred upon him the honorary degree of Master of Arts, which was not improbably done at the suggestion of the same politic governor.

As the political ferment which preceded the Revolution increased, Mr. Williams's predilections all inclined to the royalist side. In the winter of 1774 he brought an action against a citizen of Keene, the writ running in the name of "George III., by the grace of God king," etc. This was looked upon by the liberty boys as an act of hostility to their cause, and a large body of the people of Keene and vicinity immediately assembled, seized Williams, and conveyed him to a solitary barn in the fields, where they compelled him to abandon the suit, and to promise that he would issue no more writs in the king's name.

Early in 1775 he took refuge within the British lines, and is stated to have become soon after the battle of Lexington an officer in the royal army. He was afterwards proscribed, and his estate confiscated by the legislature.

In the year 1784 he came back to Keene to settle his affairs. Some zealous Whigs, exasperated at his return, and not improbably instigated by his debtors, seized him and took him before a justice, who ordered him to recognize for his appearance at the next Court of Sessions. He was committed to the custody of the sheriff, who had some difficulty, even with the aid of the orderly citizens, in protecting him from violence. His opponents afterwards got him into their power, and barely refrained from administering to him corporal chastisement with a couple of bundles of birch rods. Poor Williams, after a pretty severe hustling, managed to make his escape through the hostile crowd, on horseback.

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When he appeared at court, an order was made that he should remain in the keeping of the sheriff until he had transacted his business, and then "be permitted to leave the State on his good behavior, without further molestation." Having no desire to prolong his stay here, he soon adjusted his affairs, and repaired to Nova Scotia. Shortly afterwards, his health failing, he returned to Deerfield, Massachusetts, and there died, a bachelor.

GEORGE CANNING WILLIAMS.

Son of Hon. Jared W. and Sarah H. (Bacon) Williams; born, Lancaster, August 7, 1827; Dartmouth College, 1844; admitted, 1848; practiced, Lancaster; died there, December 10, 1865.

The youngest of his class in college, and as a scholar among the best third of it, Mr. Williams had everything in his favor for success in the world. He studied law in his father's office, and commenced practice in Lancaster. He was thoroughly qualified for his vocation, and served some years as solicitor of the county; was well started in political life as clerk of the state Senate, as representative from Lancaster in 1859 and 1860, and as commissioner of state lands in 1858. He was a trustee of Lancaster Academy, Grand Master of the Odd Fellows of the State, and a prominent Freemason; was popular, and apparently had the ball at his feet. But the very qualities which gave him his popularity led him into temptation, and he yielded to convivial habits which but too surely in later life degenerated into intemperance.

He never married.

JARED WARNER WILLIAMS, LL. D.

Son of Captain Andrew Williams; born, Woodstock, Connecticut, December 22, 1796; Brown University, 1818; practiced, Lancaster; died there, September 29, 1864.

Mr. Williams studied law with Governor Stoddard and at the Litchfield Law School in Connecticut, and went into practice in Guildhall, Vermont, in 1822. Two years later he removed to Lancaster. He early evinced an inclination for political life. He was a register of Probate from 1829 to 1837, representative in the legislature from Lancaster in 1830 and 1831, and in 1836 and 1837; state senator in 1832, 1833, and 1834, and the last two of

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those years president of the Senate; member of Congress two terms, serving from 1837 to 1841; governor of the State in 1847 and 1848; Judge of Probate, 1852–53; senator of the United States by appointment of the governor, 1853–54.

Though he was not impelled by necessity to slave at the law, as he inherited property, yet he was a persistent, painstaking practitioner. He had peculiar skill in drawing affidavits, so that he rarely failed to obtain a continuance of a case that was not ready for trial. One of the wits of the bar, when the Miller infatuation of the immediate coming of the end of the world was at its height, remarked that if Mr. Williams were employed to attend to it, he would be sure to get a continuance of it!

Governor Williams was possessed of very marked abilities, and of rare qualifications for a political career. His personal character was unblemished, his social qualities were winning, and he was an adroit manager. In his long course of public service he made few mistakes and few enemies. The honorary degree of A. M. was conferred upon him by Dartmouth College in 1825, and that of LL. D. by his Alma Mater in 1852. He accepted the honors, official and literary, which time brought him, without ostentation and without vanity.

He was married, in 1824, to Sarah Howes Bacon, of Woodstock, Connecticut, and had two sons, both bred to the law.

ALONZO BOWMAN WILLIAMSON.

Son of Frederic and Mary (Darling) Williamson; born, Woodstock, Vermont, December 20, 1815; admitted, 1837; practiced, Claremont and Cornish; died, Claremont, March 19, 1860.

Mr. Williamson was educated at the academy in his native town, and studied law under the direction of Philander C. Freeman in Claremont. He practiced in Claremont from 1842 to 1844, and then transferred his office to Cornish; but a year afterwards, upon receiving the appointment of postmaster at Claremont, he returned there, and administered the office four years. In 1850 he was commissioned solicitor for Sullivan County, and served his term of five years. He was elected a member of the state Senate in 1852 and 1853.

He was a person of good ability and a respectable advocate, but of intemperate habits, it is said. He was quite a politician,

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though not to the neglect of his business. He appeared not infrequently in the courts, but had rather a preference for the management of "justice cases."

He married Sarah Ann Blake of Bellows Falls, Vermont, in 1844, and had three children.

ARCHELAUS WILSON.

Son of Captain Asa (?) Wilson; born, Nelson, May 18, 1817; Yale College, 1844; practiced, Manchester; died, New Britain, Connecticut, February 26, 1862.

Kimball Union Academy furnished Mr. Wilson his preparation for college. He fitted himself for his profession in the Harvard Law School and that at Hartford, Connecticut, and practiced in Manchester from 1847 to 1852. From that city he proceeded to Boston, Massachusetts, for some six years, and then to New York, where he was in practice to near the time of his decease. He is remembered in New Hampshire as a highly respectable practitioner, with a moderate business.

He married Julia H. Andrews, at New Britain, Connecticut, October 9, 1848.

HUBBARD WILSON.

Son of Colonel Stephen Wilson; born, Lancaster, c. 1790; Middlebury College, 1813; admitted, 1817; practiced, Lancaster; died there, c. 1820.

Mr. Wilson qualified himself for entrance to the bar in the office of Samuel A. Pearson of Lancaster, and settled in that town in practice about 1817. He lived but a few years afterwards, adding another to the many victims of that scourge of northern climates, — consumption.

He was unmarried.

JAMES WILSON.

Son of Major Robert and Mary (Hodge) Wilson; born, Peterborough, August 16, 1766; Harvard College, 1789; admitted, 1792; practiced, Peterborough and Keene; died, Keene, January 4, 1839.

Scotch-Irish blood filled the veins of James Wilson. He owed his education to his mother, a superior woman, it is said. At Phillips Academy in Andover, Massachusetts, he pursued his

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preparatory studies, and he qualified himself for the bar in the office of Levi Lincoln of Worcester, Massachusetts, and that of Jeremiah Smith in Peterborough. Beginning to practice in that town in 1792, he remained till 1815, when he removed to Keene, having an office also at Stoddard for a little time.

He had some experience in political life, serving as representative in the state legislature from Peterborough between 1803 and 1814, nine years, and as representative in Congress from 1809 to 1811. He cared little for office, however; he looked out, first of all, for his own interests. He was particularly fortunate in the acquisition of property. He was sometimes styled the "Earl of Stoddard," he owned so large a part of the land in that township. But he was capable of generosity. When Amasa Edes was a lad in his office, Wilson urged him to get a collegiate education, offering to lend him the necessary means for it. "But what if I should never be able to repay you?" inquired Edes. "I don't care," replied Wilson, "I 'm able to lose it."

He was a very able lawyer, and an eloquent advocate. His preparation of his cases was thorough, and he was sometimes charged with "drilling" his witnesses. John C. Chamberlain was his frequent opponent. On one occasion Chamberlain was fairly sworn out of a case by testimony unexpectedly produced by Wilson. "Your witnesses swore well," said Chamberlain, "can't I hire them for my next case?" "Can't spare them myself," was Wilson's reply.

He used to tilt with Jeremiah Smith occasionally. Once while they were journeying together, on horseback, Wilson rode on ahead, and meeting a stranger passed himself off to him as Smith, then a member of Congress. When the two attorneys stopped for the night, Wilson related, in the presence of some friends, what a great dignitary he had been mistaken for. "Oh, no," said Smith. "The man knew better; he said, '*You* Jerry Smith? Why, *he* 's a respectable man!'"

A man of the name of Smith being arraigned in court for a criminal offense, Wilson asked Smith how it was that so many offenders happened to have his name. "Easily explained," replied the other. "They want an honest name to be tried by, and so give the name of Smith, but on inquiry it will generally turn out that their true name is Wilson!"

Mr. Wilson's perception was quick and keen, and his feelings

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were easily moved. He is said to have had the art of exciting the emotions of his auditors and swaying them at pleasure; he could make them laugh, and at a turn of his hand he could move them to tears. It was through this gift that he was most successful in his appeals to the jury. John C. Chamberlain inquired of him why he did not address the *reason* instead of the feelings of jurors. "Too small a mark," replied Wilson, — "too small a mark for me to hit!"

His wife was Elizabeth Steele, who became the mother of several children, the eldest of whom followed his father's calling.

JAMES WILSON, JR.

Son of Hon. James and Elizabeth (Steele) Wilson; born, Peterborough, March 18, 1797; Middlebury College, 1820; admitted, 1823; practiced, Keene; died there, May 29, 1881.

Young Wilson was sent from home to study at various academies, from the age of nine to sixteen. He then longed to enter the military service, in the war of 1812, but could not obtain his father's consent. Disappointed, he began to work in the cotton factory at Peterborough. On his father's removal to Keene in 1815, he resumed his studies and completed his education. He read law with his father. Being vigorous, bodily and mentally, his father was soon ready to resign to him the chief of his law practice. He attended the courts of Sullivan, Grafton, and Coos counties, as well as Cheshire, tried causes and carried on a large business ten or twelve years, till the failing strength of his father required his presence at home. After that he confined his business to Cheshire County alone.

He was fond of military pursuits, and rose from the rank of the captain of the Keene Light Infantry to that of major-general of militia. Politics presented a strong attraction to him. He was chosen representative in the legislature every year from 1825 to 1832, and from 1834 to 1837, and four years at later dates. In 1828 he was Speaker of the House, and in 1838 and 1839 he was the unsuccessful candidate for the governorship. In 1840 he was a delegate to the convention which nominated William H. Harrison for the presidency, and during the succeeding political campaign proved himself to be one of the most eloquent and effective popular speakers of his time. His qualifications for this were

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unequaled. His physique was on a majestic scale; his voice was sonorous; his language was the purest vernacular; his logic had the grip of a vise; he was always prodigiously in earnest. His illustrations and witty sallies were irresistible, and he often broke out in strains of bold and moving eloquence. The common people like a pet name for their favorites; they called him "Long Jim." Throughout New England and the Middle States he was known and welcomed with enthusiasm "on the stump."

In the Harrison campaign, as he was about to begin an outdoor harangue, a shower came up and threatened to disperse the audience. He deliberately pulled off his coat (as usual) and began: "The only rain that I have any fear of is the reign of Martin Van Buren!" He had hearers enough after that. In some of the States farther west it was the fashion for both parties to hold public meetings on the same day, and to have their speakers' stands not far apart; but this was found bad for his opponents, for he captivated the entire crowd, and on one occasion left not a solitary listener for the other side.

He was elected a representative in Congress in 1847 and 1849, and resigned his seat in 1850 to emigrate to California, in the hope of finding his fortune there, but returned in 1861 no richer pecuniarily than when he went away. President Lincoln offered him a brigadier-general's commission, but he was then sixty-seven, and he wisely determined that he could aid the cause of the Union more with his voice and influence than with the sword. His reception by the new generation of his native State was marked by the highest enthusiasm, and he rendered yeoman service to the country in filling her armies with young men of character and intelligence.

Again he visited California, and then returned to pass the evening of life among his family, in the home of his youth. He is remembered less as a lawyer than as a popular orator. Yet for years he was at the head of the bar in his section of the State. In the court-room, on the hustings, before any assembly, he could always touch the feelings of his audience. At the first festival of the Sons of New Hampshire in Boston in 1849, he was assigned to respond to the sentiment, — "The families which we left behind." The speeches, thus far, were excellent, but rather formal. But when General Wilson rose to speak, the tones of his hearty, sympathetic voice roused the feelings of his audience, and his

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touching picture of the "old folks at home" stirred every heart to its depths. "We will go back," said he, "and tell the mothers and sisters how well the boys behave when they go away from home!" It was like the notes of the "Ranz des vaches" to the exiled Switzer, — it was the speech which gave voice to the genuine feeling of all hearts, and was welcomed with cheering, earnest, prolonged, and again and again renewed.

General Wilson was united in marriage, November 26, 1823, to Mary L. Richardson of Montpelier, Vermont. She died in 1848. They were the parents of eight children, of whom a son and three daughters survived him. One of the daughters is the wife of Francis S. Fiske, who was bred to the legal profession.

JOHN McNEIL WILSON.

Son of James and Mary (McNeil) Wilson; born, Francestown, November 12, 1802; practiced, Bedford; died, Chicago, Illinois, December 7, 1883.

This gentleman, after preparatory study at the Francestown Academy, entered Dartmouth College in 1819, and left it in a year on account of ill health. After a short interval he was persuaded to spend awhile in Bowdoin College, but with a like result. He then tried trade, which he found irksome, and he qualified himself for the bar in the office of Edmund Parker at Amherst, and at the law school in New Haven, Connecticut. Two years he practiced in Bedford, 1829 and 1830, and then removed to Lowell, Massachusetts, to become a partner in practice with John A. Knowles for about four years. Thence he went to Illinois, first to Joliet, with the design of following some active employment, but his talents for the law inevitably carried him to Chicago. There he became a noted counsel of a few railroad corporations; and in 1853 was elected Judge of the Court of Common Pleas for Cook County, and six years later, Chief Justice of the Superior Court of Chicago. He retired from active business in 1868. He was regarded as a lawyer of the highest ability; and it was said that he had no superior, if an equal, on any bench in Illinois.

He married, in 1838, Martha A. Appleton of Lowell, Massachusetts. Of their five children, one is a member of the Chicago bar.

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JOHN WINGATE.

Born, Ossipee, October, 1831 ; Bowdoin College, 1855 ; practiced, Wolfeborough ; died, St. Louis, Missouri, November, 1881.

After his graduation Mr. Wingate was for a time a teacher in Wolfeborough, and then turned his attention to legal study. He was in the practice in Wolfeborough from about 1862 to 1866, and then proceeded to Washington, District of Columbia, where he was appointed to a clerkship in one of the departments. He afterwards removed to St. Louis, Missouri, to resume the practice of his profession. He is said to have been prominent in Freemasonry.

BENJAMIN F. WINKLEY.

Son of Benjamin Winkley ; born, Barnstead ; practiced, Barnstead and Strafford ; died, Strafford, c. 1869.

This gentleman was a legal practitioner in the adjoining towns of Barnstead and Strafford for several years between 1843 and 1849, after which he appears to have confined himself to Strafford, until his decease, about 1869. His business was not large, nor was he a lawyer of note.

JAMES ANCRUM WINSLOW.

Son of Admiral John A. Winslow ; born, Boston, Massachusetts, April 29, 1839 ; Harvard College, 1859 ; admitted, 1861 ; practiced, Littleton ; died, Binghamton, New York, June 27, 1892.

Mr. Winslow was fitted for college at the Boston and the Roxbury Latin schools, and studied law in the Virginia Law School. He enlisted in a Massachusetts volunteer regiment in 1862, and in 1864 and 1865 served as a first lieutenant in the Second Massachusetts Volunteers. After some experience in his calling in Massachusetts, he came to Littleton in 1867, practiced there less than a year, and was then admitted to the bar of New York. He was a bright political speaker, of rather irregular habits.

He never married.

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ELIJAH WOLLAGE.

Born, Bernardston, Massachusetts, 1769; Dartmouth College, 1791; admitted, 1803; practiced, Westmoreland; died, Starkey, New York, July 18, 1847.

Mr. Wollage first studied divinity, and was ordained pastor of the Congregational church in Guilford, Vermont, in 1793, and dismissed in 1797. He next settled in Cambridge, Vermont, but about this time determined to change his profession for that of the law. He was practicing in Westmoreland in 1802, stayed there a few years, and was somewhat influential in town affairs, but resumed his pastoral connection in 1811 at Guilford. In 1818 he was minister of Rockingham, Vermont; then of Pulteney, New York, and finally was stated supply at Wheeler and Starkey, New York, until his death.

He was married.

ALVA WOOD.

Son of John and Eunice (Stickney) Wood; born, Georgetown, Massachusetts, August 18, 1821; practiced, Exeter; died there, February 17, 1878.

Mr. Wood was educated in the public schools of his native town, and at the academy in Pembroke. He studied law in the office of James Bell and Amos Tuck of Exeter, and commenced to practice in that town about 1848. Though he had to contend with the disadvantage of an imperfect early training, he enjoyed vigorous health, and high courage. Few of the lawyers of his county had a larger docket of cases in the courts than his, for a considerable series of years. He was remarkable for his tenacity of purpose. Every rebuff he bore good-naturedly, and with a soft answer that turned away wrath.

It may be truly said that he made the most of himself and of his opportunities, and among his associates he left none but pleasant memories.

He married Mary F., daughter of John C. Gerrish of Exeter, November 30, 1854, and left a son and two daughters.

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CHARLES HOWE WOODBURY.

Son of Dr. Peter P. and Eliza B. (Gordon) Woodbury ; born, Bedford, March 10, 1840 ; admitted, 1863 ; practiced, Manchester ; died, Bedford, September 12, 1893.

This was a nephew of Judge Levi Woodbury. Receiving an academical education, and with some experience as a teacher, he pursued his legal studies at the Harvard Law School and with Herman Foster of Manchester, whose partner he became, for about a year. Then he removed to New York city, and became a member of the law firm of Churchill and Woodbury, and led the life of an active and successful lawyer for the succeeding thirty years. He sustained a high rank in his profession, as well as in political and social life, but declined judicial and congressional honors which were within his reach. His moral and religious character was unblemished.

Dartmouth College in 1879 gave him the degree of A. M.

He was joined in marriage in April, 1863, to Frances, daughter of John A. McGaw of New York.

JAMES TRASK WOODBURY.

Son of Hon. Peter and Mary (Woodbury) Woodbury ; born, Francestown, May 9, 1803 ; Harvard College, 1823 ; practiced, Bath ; died, Milford, Massachusetts, January 16, 1861.

Mr. Woodbury received his college preparation at the academies at Francestown and Exeter, studied law with his brother, Levi Woodbury, in Portsmouth, and went to Bath to begin practice. About three years after his settlement in Bath his attention was strongly directed to religious subjects, and this together with his distaste for a legal life induced him to change his profession for that of the ministry. He accordingly studied divinity, and, being ordained August 29, 1832, was settled as pastor over the church in Acton, Massachusetts.

In 1851 and 1852 he represented that town in the General Court of the commonwealth, with special reference to the procuring of an appropriation for the erection of a monument in Acton to commemorate the services of Captain Isaac Davis, one of its citizens who fell in the fight at Concord bridge, at the

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opening of the Revolution. The chief credit of carrying the measure through the legislature is attributed to Mr. Woodbury. He exhibited the trappings which the early martyr for liberty had worn, and the marks made by the fatal bullet, and in a speech of two hours' length — the only speech he ever made in a legislative assembly — he carried his hearers with him, and the appropriation of two thousand dollars was voted by a large majority.

He is said to have possessed a genial nature, with fine social feelings, which endeared him to a large circle of friends. His labors in the ministry were also earnest and successful.

He was married in 1826 to Augusta, daughter of Jonathan Porter of Medford, Massachusetts. They had three children.

LUKE WOODBURY.

Son of Mark and Alice (Boyd) Woodbury; born, Antrim, December 25, 1800; Dartmouth College, 1820; admitted, 1824; practiced, Hancock and Antrim; died, Antrim, August 27, 1851.

Mr. Woodbury read law in the office of Edmund Parker at Amherst. In 1824 he began to practice in Hancock, but after a year or two returned to Antrim. In 1833 and 1835 he represented that town in the legislature, and in December of the latter year he received the appointment of Judge of Probate for Hillsborough County, and administered the office to the time of his death.

Judge Woodbury was noted as singularly honest and truthful; his schoolmates said of him, — "You can't trust any deviltry with Luke!" He was quiet and unobtrusive, as well as diffident and self-distrustful, but his abilities were said to have been equal to almost any position. As a lawyer he was quite above mediocrity, and he gave entire satisfaction as Judge of Probate. Though not an active politician, he possessed the confidence of his party in a high degree, and had received the nomination for the office of governor of the State; but he did not live to witness the election.

June 10, 1834, he was married to Mary E. Wallace of Antrim. He left no children.

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SAMUEL WOODBURY.

Son of William and Hannah (Kelley) Woodbury ; born, Salem, December 21, 1784 ; Dartmouth College, 1811 ; practiced, Portsmouth ; died in Groton, Massachusetts, July 6, 1819.

After his graduation Mr. Woodbury became the preceptor of Lawrence Academy, in Groton, Massachusetts, for a year, and then pursued his law studies in the office of William M. Richardson, then of Groton, and of Luther Lawrence of Lowell, Massachusetts, and went into practice in Portsmouth.

Soon afterwards he resolved to change his profession, and began the study of divinity with his cousin, Rev. Francis Brown, and succeeded him, November 5, 1817, in the ministry of North Yarmouth, Maine. Before two years had elapsed, his health began to fail, and he was obliged to leave his pastoral charge. He made a journey in the hope of regaining his health, but to no purpose.

He married Mary, daughter of Samuel Lawrence of Groton, July 28, 1818, who survived him. They had one daughter.

EDWARD WHITESIDE WOODDELL.

Born, Granville, New York, October 6, 1817 ; practiced, Claremont and Unity ; died, Unity, October 20, 1889.

This gentleman received his elementary and legal education in the State of New York, and there practiced in Washington County some years before he came to New Hampshire. In 1849 he settled in Claremont, and continued in the practice of his profession in that town twenty years. A pulmonary disease and loss of voice obliged him to quit the active duties of the law, and in 1869 he removed to a farm in Unity, and devoted some part of his time to literary pursuits. His talent as a versifier was above mediocrity, as may be seen in his "Christmas Eve," published in the "Poets of New Hampshire."

He had a good deal of natural ability, was a ready talker, and could make a very effective speech. He was more inclined to farming than to the law, however, and did not have much practice in his profession.

In 1863 and 1864 he was a representative from Claremont in the legislature, and became well known in the State.

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He married Mary A. Nelson in 1846, who died, with their two daughters; and in 1886 he was again married to Hattie A. Leslie of Plymouth, Vermont, who bore him one daughter.

CHARLES WOODMAN.

Son of Rev. Joseph and Esther (Whittemore) Hall Woodman; born, Sanbornton, January 9, 1792; Dartmouth College, 1813; admitted, 1816; practiced, Dover; died there, October 31, 1822.

When a lad of five years, young Woodman lost his right hand. This accident incapacitated him for manual occupations, but perhaps determined for him the course in life which was most congenial to him. He obtained his legal education with his brother, Jeremiah H. Woodman, at Rochester, and with Governor Christopher Gore at Boston. In 1816 he commenced practice at Dover. He was a stirring, shrewd, generous man, of marked ability, and soon brought himself into notice and popularity. He developed a taste for politics, and was a representative in the legislature from Dover in 1820, 1821, and 1822, in which last year he was chosen Speaker of the House. At the same time he was a candidate for the office of representative in Congress with a moral certainty of being elected; when in the midst of his bright prospects, his career was suddenly terminated by death. All accounts represent him as a man of much capacity and high promise, and his premature decease was regarded as a serious loss to the community.

He was married, first, to Mary W., daughter of Joseph Gage of Dover, in June, 1818. She lived but a single year, and November 5, 1821, he was united to Dorothy Dix, daughter of Hon. John Wheeler of Dover. The latter survived him, with one son.

CHARLES WILLIAM WOODMAN.

Son of Jeremiah H. and Sarah (Chase) Woodman; born, Rochester, December 7, 1809; Dartmouth College, 1829; admitted, 1833; practiced, Somersworth and Dover; died, Dover, January 24, 1888.

Mr. Woodman was fitted for the bar in the offices of his father, of Ichabod Bartlett in Portsmouth, and of Richard Bartlett in Boston, Massachusetts. In 1833 he went to Great Falls Village

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in Somersworth to practice, but the next year moved to Dover, where for more than half a century he kept his office open for clients. In 1839 he received the commission of solicitor for Strafford County. Two years after its expiration he was appointed Judge of Probate, and performed the duties of the office until 1853. The succeeding year he was made a Justice of the Circuit Court of Common Pleas, and remained upon the bench until that court was abolished. He was a commissioner of the Circuit Court of the United States, it is stated, for over thirty years. He was also a representative in the state legislature in 1861 and 1862, and again in 1878 and 1879. In 1862 he was commissioned a paymaster of United States Volunteers, and resigned in 1863.

He was an excellent "all round" lawyer, and acquitted himself creditably in all the positions he held. Well balanced, with good legal learning, courteous, patient, and judicious, his demeanor and his decisions gave general satisfaction. Though not brilliant, he was discriminating and sensible. His impartiality and uprightness and honorable intentions impressed every one with respect.

His first marriage occurred October 6, 1840, to Charlotte A., daughter of Stephen Pearse of Portsmouth; his second, June 6, 1866, to Frances J., daughter of John J. Soren of Roxbury, Massachusetts. By his first marriage he had four children, of whom only two daughters outlived him.

DANIEL CARLTON WOODMAN.

Son of Daniel and Eunice (Crockett) Woodman; born, Laconia, December 13, 1830; admitted, 1859; practiced, Laconia; died there, March 19, 1866.

This gentleman received his education at Gilford Academy in Laconia, and studied law with Stephen C. Lyford, and with Elkins and Stevens in the same place. Commencing practice there in 1859, he became and remained for three or four years a partner with William L. Avery. In 1863 he enlisted in the First Regiment of New Hampshire Heavy Artillery, and served until he was discharged, October 19, 1864, to accept promotion as first lieutenant of the Thirteenth United States Colored Troops, which office he resigned June 12, 1865.

During Mr. Woodman's short connection with the bar he did not give his whole attention to his profession, but was a farmer

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also. He is represented as possessed of quite average ability, and was interested in education, serving as superintending school committee of his town.

He was married, October 8, 1853, to Betsey L. Peabody, at Laconia, and had four children.

EDGAR HORACE WOODMAN.

Son of John K. and Mary J. (Drew) Woodman ; born, Gilmanton, May 6, 1847 ; admitted, 1873 ; practiced, Concord ; died there, March 21, 1892.

Fitted for college at the academies in Gilmanton and Boscawen, Mr. Woodman afterwards prepared himself for a business life at a commercial institution, and for several years occupied positions of responsibility of that character. Then he studied the law with Minot, Toppan, and Mugridge at Concord, and began practice in that city. He was chosen mayor of Concord in 1883 and 1884, and his record in that position was satisfactory to all parties, in respect to his honesty, fidelity, and efficiency. He was treasurer of the Peterborough and Hillsborough and of the Franklin railroads ; director and treasurer of the Concord Gas-Light Company ; director of the First National and president of the Mechanics' National banks, and held other trusts indicative of the confidence reposed in his business capacity and uprightness.

He is said to have had the qualities which would have made him an able advocate, but preferred the business side of the law, and his sound judgment, discretion, and industry gave him great facility and success therein. He was honorable, public-spirited, generous, and at his death left no enemy behind him.

His first wife, married May 6, 1878, was Georgiana Hodges of Boston, Massachusetts, who died within a year ; his second was Elizabeth B., daughter of Hon. William L. Foster of Concord, whom he married April 20, 1886, and who bore him one daughter.

JEREMIAH HALL WOODMAN.

Son of Rev. Joseph and Esther (Whittemore) Hall Woodman ; born, Sanbornton, April 15, 1775 ; Dartmouth College, 1794 ; admitted, 1799 ; practiced, Warner, Meredith, and Rochester ; died, Rochester, May 8, 1854.

Mr. Woodman is said to have been the second scholar of his college class. He taught the academy at Hallowell, Maine, for

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two years, and then studied law in the offices of Thomas W. Thompson of Salisbury and of Jeremiah Smith of Exeter. He opened his own office, first, in Warner in 1799, then in Meredith in 1800, where he remained six years, and at length in Rochester, his final home.

In the half century of his active life he carried on an extensive legal business with diligence, skill, and success, he contributed largely to the promotion of education and agriculture in his vicinity, and in private life was a model parent, rearing a large family to usefulness and respectability, and dispensing a bountiful hospitality. It was largely through his efforts that the schools of Rochester were provided with the most competent instructors; he aided in establishing the academy at Wolfeborough, and was the first president of its board of trustees. He took an active part in organizing the earliest agricultural society in Strafford County, of which he became president, and he was for a long time an active director of the old Strafford Bank.

Instead of encouraging litigation among his neighbors, he strove to adjust their differences by amicable settlement. In 1823 and 1824, though a staunch Federalist, he was chosen a representative in the legislature from a Democratic town.

Mr. Woodman was united in marriage, in 1806, to Sarah Chase of Portsmouth. They had nine children who lived to maturity, two of whom became lawyers of New Hampshire.

JOHN SMITH WOODMAN.

Son of Nathan and Abigail H. (Chesley) Woodman; born, Durham, September 6, 1819; Dartmouth College, 1842; admitted, 1848; practiced, Dover and Rollinsford; died, Durham, May 9, 1871.

From the academy at South Berwick, Maine, Mr. Woodman made his entrance into college, from which he graduated with high marks for scholarship, particularly in mathematics. He was four years a teacher in Charleston, South Carolina, and thence made an extended tour in Europe, returning to New Hampshire to complete the law studies which he had already begun, with John A. Richardson of Durham and Daniel M. Christie of Dover. He entered the practice in Dover, but after a few months moved to Salmon Falls village in Rollinsford. His business was not extensive, but gave promise of his future prominence.

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In January, 1871, the chair of mathematics in Dartmouth College, to which was afterwards added the professorship of civil engineering in the Chandler Scientific School, tempted him to quit the law, and he never afterwards resumed it in this State. He was an admirable professor, and labored with zeal to elevate the standard of scholarship in the institutions with which he was connected, and to secure pecuniary benefactions therefor. At his decease he bequeathed the reversion of twenty thousand dollars to the object. He was moreover of great advantage to the State in the office of commissioner of education, which he held some years, and in which he labored with assiduity and success.

He married, December 10, 1848, Mary Ann Pendexter, daughter of Stephen P. Chesley of Durham. They had one daughter, who died in childhood.

THEODORE CHASE WOODMAN.

Son of Hon. Jeremiah Hall and Sarah (Chase) Woodman ; born, Rochester, April 10, 1815 ; Dartmouth College, 1835 ; admitted, 1838 ; practiced, Haverhill ; died, Bucksport, Maine, June 13, 1886.

Prepared for college at the Phillips Exeter Academy, Mr. Woodman was fitted for the legal profession under Noah Tebbets of Rochester, and Daniel M. Christie of Dover. He went first to Haverhill to practice, but remained only two years, and then removed to Bucksport, Maine, where his principal life-work was done. He was a lawyer of note and of high character, was a representative in the legislature of the State three years, and Speaker in 1868, and a member of the executive council in 1854.

He took to wife, May 16, 1843, Mary J., daughter of Deacon Henry Darling of Bucksport, Maine, and had a son and three daughters.

GEORGE WOODWARD.

Son of Professor Bezaleel and Mary (Wheelock) Woodward ; born, Hanover, August 20, 1776 ; Dartmouth College, 1793 ; practiced, Haverhill ; died, Lowell, Massachusetts, December 5, 1836.

Taking his bachelor's degree at the age of seventeen, Mr. Woodward first engaged in trade. He was treasurer of Dartmouth College from 1803 to 1805, in which latter year he removed

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to Haverhill to practice the law which he had studied, probably in Hanover. He was there given the place of cashier of the Coos Bank, which brought him little advantage, as he was afterwards sued by the bank. He employed Jeremiah Mason as his counsel. As the court was about to come on in which the suit was to be tried, Mason visited his client to make the requisite preparation. He found him engaged in singing sacred music. This was not altogether to the great lawyer's mind. "Come," said he; "we must go over your evidence." "Let 's sing another psalm," was Woodward's reply. He was a deeply religious man, and devoted to psalmody.

He was a successful collecting lawyer, but his practice in the courts was somewhat limited. In 1828 he removed from New Hampshire to Lowell, Massachusetts, where he was made clerk of the city council. The historian of Haverhill terms him "a man of prominence and high character."

He was married, first, to Elizabeth, daughter of Captain David Webster of Plymouth; second, to Lydia her sister; and third, to Elizabeth, daughter of William Leverett of Windsor, Vermont, January, 1816. He left several children.

WILLIAM H. WOODWARD.

Son of Professor Bezaleel and Mary (Wheelock) Woodward; born, Hanover, September 17, 1774; Dartmouth College, 1792; practiced, Hanover; died there, August 9, 1818.

This was a grandson of the founder of Dartmouth College, and was the first male child born on Hanover Plain. He was an attorney in Hanover as early as 1793, and was an able man and a good lawyer, though somewhat given to technicalities. In 1805 he was made treasurer of the college, and secretary of the board of trustees. In 1813 he was appointed Chief Justice of the Court of Common Pleas for the western circuit, and on a modification of the judiciary in 1816, Chief Justice of the same court for the second district. His name came into special prominence in the "Dartmouth College cases." The college was chartered under the authority of the British crown in 1769, and the legislature of the State in 1816 assumed to amend the charter so as practically to put the institution out of the power of the old trustees into that of a new board. The old trustees refused to accept the

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amendment, and suits were brought to test its legality, in the principal one of which Woodward's name appeared as a party. The question was stoutly contested, the Superior Court of the State pronouncing in favor of the power of the legislature to make the amendment, and the Supreme Court of the United States reversing that decision, upon the ground that it conflicted with the constitutional provision against the passage of laws impairing the obligation of contracts.

Judge Woodward's position in this acrimonious controversy, socially and politically, was a delicate and difficult one, but his honesty and right intentions were, it is believed, never questioned. He died before the final decision.

He was married in 1802, to Betsey, daughter of Dr. Benjamin Curtis of Boston, Massachusetts, and had two children.

SAMUEL THOMAS WORCESTER.

Son of Captain Jesse and Sarah (Parker) Worcester ; born, Hollis, August 30, 1804 ; Harvard College, 1830 ; practiced, Nashua ; died there, December 6, 1882.

Judge Worcester belonged to a distinguished family ; the celebrated Noah Worcester was his uncle, and Joseph E. Worcester, the lexicographer, was his brother. Samuel was prepared for college at the academies in Pembroke, and in Andover, Massachusetts, was a student at law in the office of Benjamin M. Farley in Hollis and at the Law School in Cambridge, Massachusetts, and settled in his profession in Norwalk, Ohio, in 1835. There he remained for thirty-two years, and acquired prominence and influence. He was a member of the Ohio Senate in 1849 and 1850 ; and in 1859 was elected judge of the tenth judicial district of the State. While holding this office in the spring of 1861, he was chosen a representative in Congress.

In 1867 he returned to New Hampshire, and established himself in Nashua, where he kept his office during his life, still clinging to his profession, though he no longer leaned upon it, having acquired a competency.

Before he was thirty he was the author of two juvenile spelling-books, and after his return to this State he published not a little on educational and historical subjects. He arranged the scattered early records of Hollis, and then prepared and issued, in 1879, a

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valuable history of the town. He was a zealous and useful member of the state Historical Society, and read before it a paper of much interest and importance on the part taken by New Hampshire soldiers in the battle of Bunker Hill.

His public and private character were alike admirable. He stood ever for the right as he saw it, he tolerated no compromise of principle, and bore about him a genuine atmosphere of purity. After the death of his wife in 1874, who with himself was a disciple of Swedenborg, he still had her chair placed regularly at his table, and derived great comfort from his faith in her spiritual companionship and communications.

He married, May 13, 1835, Mary F. C., daughter of Samuel Wales of Stoughton, Massachusetts. They had no children.

IRA YOUNG.

Son of Major Samuel and Abigail (Thompson) Young; born, Lisbon, May 17, 1794; admitted, 1817; practiced, Bath, Colebrook, and Lancaster; died, Havana, Cuba, November 15, 1845.

The common schools of Lisbon, and afterwards the academy at Haverhill, afforded General Young his early instruction. At the age of eighteen he began the study of the law with James I. Swan of Bath, and in 1817 he entered into practice there. For the succeeding six years he remained in Bath, the first three with Mr. Swan, who deceased in 1820, bequeathing to him his fine law library. Losing his office and books and papers by fire, three years later, he removed to Colebrook, where he enjoyed a successful practice for sixteen years. Lancaster then became his home, and he was a leading lawyer there until his health began to fail in 1845. In the hope of arresting the disease which was upon him, he sailed for the West Indies, but the desired relief was not experienced, and he died there after a few months.

He was a sound lawyer and an honest man; well read in the learning of his profession, and successful in the management and trial of causes. He was universally popular, and enjoyed the confidence of all. Judge Morrison speaks of him as a "lawyer of celebrity." The inscription upon his tombstone, placed there by his professional contemporaries, was as follows: —

"This stone is erected to his memory as a token of respect by his brethren of the bar, among whom he stood eminent both for

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his courtesy and ability as a lawyer, and his high character for honesty and integrity as a man."

In his earlier life he fell, like many another young man of popular qualities, into habits of dissipation, but he had the firmness and self-command to abandon them, and reform. There was fighting blood in his veins. His father and two of his uncles served in the Revolutionary army, and he himself entered the militia and rose to the rank of major-general. No opportunity was given him for active service, except in the "Indian Stream" difficulties in 1835, when he was chosen by the governor to command the detachment ordered out to quell the insurrectionary movement, a duty which he performed satisfactorily.

He was married, in 1837, to Mrs. Sarah M. (De Forest) Smith, daughter of Judge Mills De Forest of Lemington, Vermont. They had three children, a daughter and two sons, both of whom fought bravely, and one lost his life in the Union army in the great civil war.

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ADDENDUM.

DECEASED LAWYERS OMITTED.

JOHN JAMES BELL.

Son of Hon. Samuel D. and Mary H. (Healey) Bell; born, Chester, October 30, 1827; admitted, 1848; practiced, Nashua, Milford, Carmel, and Exeter; died, Manchester, August 22, 1893.

While the foregoing sheets were passing through the press, Mr. Bell was numbered with the dead.

He received a thorough academical education in Concord and Manchester, and prepared himself for the bar in the office of William C. Clarke of Manchester, and at the Harvard Law School, from which he graduated LL. B. in 1847. The next two years he was in practice in Nashua, and a short time in Milford, it is believed, when he decided to remove to Carmel, Maine, where his father was the owner of lands of value. He lived there, or in that vicinity, fourteen years, in the exercise of his profession and the superintendence of the clearing and improvement of the lands, and in 1864 returned to this State, and established himself in Exeter. There he continued in practice some years, and in 1876 accepted the appointment of Judge of the Police Court, and discharged its duties till 1883.

From the time of his coming to Exeter, he had, as he did in his Maine home, identified himself with its interests, and taken a prominent part in its affairs. He was chosen to many town offices. The uncompensated positions, especially, often onerous, and generally shunned, but important to the welfare of the people, he was never reluctant to undertake. He was a delegate to the constitutional convention of 1876, and representative in the legislatures of 1883, 1885, 1887, and 1891. In all those bodies he was a prominent, working, useful member, occupying the chief positions on committees, and not seldom expressing his views in public with clearness and force. He was often in the Speaker's chair. He served the State on the commission to examine into the condition of the

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insane poor, on that for the establishment of the boundary line with Massachusetts, and on the library commission.

On the decease of his brother, Samuel N. Bell of Manchester, he inherited a large estate, chiefly in lands and railway property. He had previously been much the master of his own time, and had lived a comparatively quiet life, in the enjoyment of his books and his home. He was now compelled to change his habits and to spend much time in various places where his new interests required attention, and to take upon himself the responsibilities and labors of the offices of president of the Suncook Valley, and Suncook Valley Extension Railroad, the Pemigewasset Valley Railroad and others, director of two insurance companies, president of the Exeter and New Hampshire Boards of Trade, and president of the Exeter Manufacturing Company.

He was deeply interested in temperance, and a member of the order of the Good Templars. Mr. Bell became a Freemason in 1849, and was through life an attentive and deeply interested member of the fraternity. He rose to be Grand Master, Grand High Priest, and Grand Commander of the various associations in the State, and received the 33d degree in Masonry. He was a leading member of the Second Congregational parish in Exeter, and a deacon of the church. Well learned in the law, he had all needed qualifications for conducting large court business, but he had no fondness for contention or display. He had many books, and was always a great reader, with an eye to utility. Like his father and brother he was a student of natural science, and succeeded to the former in his love for history and antiquarian pursuits. He delivered the address at the 250th anniversary of the settlement of Hampton, and was a member of the American Antiquarian Society, and other historical associations. He was president of the New Hampshire Historical Society two years. Mr. Bell was conscientious and earnest in all his doings, aiming to make the most of his powers in every station. Always faithful, he was ready to take up the burdens that were put upon him, and to carry them to their destination. Men were accustomed to look to him for aid and counsel, and were not often disappointed. The general esteem he had won was manifested in the great attendance from all parts of the State at his funeral, and by the closing of the places of business in his home.

Dartmouth College gave him the degree of A. M.

He was married, April 13, 1881, to Cora L., daughter of Hervey Kent of Exeter, and was the father of two sons.

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JOHN W. CLARK.

Son of Hiram and Jane (Wentworth) Clark ; born, Berwick, Maine, 1844 ; practiced, Somersworth ; died, Berwick, Maine, 1874.

This gentleman acquired his education at the West Lebanon and South Berwick academies in Maine, and fitted himself for admission as an attorney in the office of William J. Copeland in Somersworth. Beginning practice in the village of Great Falls, in that town, in 1872, he remained there little more than a year, when a pulmonary disease compelled him to relinquish his profession, and he returned to his native town to die.

A. M. HOLBROOK.

Born, Winchester, 1822 ; admitted, 1842 ; practiced, Salem and Francestown ; died, c. 1853.

The information obtained piecemeal in regard to Mr. Holbrook represents him to have been three years a student in Dartmouth College, then to have studied law with Atherton and Gove in Nashua and in Vermont, to have practiced in Lowell, Massachusetts, a year before coming to Salem, where he was probably two or three years. His stay in Francestown was not over a year, and he died not long after leaving that place.

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THE SUPREME COURT.

JUDGES.

CHARLES DOE.
ISAAC W. SMITH.
LEWIS W. CLARK.
ISAAC N. BLODGETT.
ALONZO P. CARPENTER.
WILLIAM M. CHASE.
ROBERT M. WALLACE.

LIVING EX-JUDGES.

JEREMIAH SMITH.
ELLERY A. HIBBARD.
WILLIAM L. FOSTER.
GEORGE A. BINGHAM.

REPORTER.

FRANK N. PARSONS.

ATTORNEY-GENERAL.

EDWIN G. EASTMAN.

COUNTY SOLICITORS.

WILLIAM B. FELLOWS	Belknap Co.
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CHARLES G. CONNER	Rockingham Co.
GEORGE E. DURGIN	Strafford Co.
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A LIST OF LIVING LAWYERS

DISTRIBUTED UNDER THE TOWNS IN WHICH THEY ONCE WERE OR ARE NOW IN PRACTICE.

This list is meant to include all lawyers now living who at any time have been settled in practice in New Hampshire. The names of those who have retired from practice, and of those who have moved out of the State, and of those who have moved from the city or town under which their names appear to some other city or town in New Hampshire are marked with an asterisk (*). The names without an asterisk are of those now in practice in the city or town named.

BELKNAP COUNTY.

Alton.

*Jefferson M. Moody.
Amos Rollins.
*Samuel W. Rollins.

Barnstead.

Charles S. George.

Belmont.

*Edwin P. Thompson.

Gilford.

Samuel C. Clark.
*Benjamin C. Dean.
*Orestes H. Key.
*Woodbury L. Melcher.

Gilmanton.

Thomas Cogswell.
*Arthur L. Livermore, Jr.
*Alfred Prescott.
*Benjamin R. Rogers.
*Edwin H. Shannon.
*Edwin P. Thompson.

Laconia.

*John W. Ashman.
Frank M. Beckford.
Sumner E. Blackstone.
*Samuel C. Clark.
Samuel C. Clark (Lakeport).
George B. Cox.
Napoleon J. Dyer.
Charles B. Hibbard.
Ellery A. Hibbard.
Erastus P. Jewell.
Stephen S. Jewett.
Samuel H. Martin.
*Woodbury L. Melcher.
Stanton J. Owens (Lakeport).
Walter S. Peaslee.
William A. Plummer.
Edwin H. Shannon.
*Silas B. Smith.
Charles F. Stone.

Meredith.

*John W. Ela.
*Ellery A. Hibbard.
*George S. Hilton.
Samuel W. Rollins.

Sanbornton.

*J. Ware Butterfield.
*Elijah D. Hastings.

Tilton.

William B. Fellows.
*Walter D. Hardy.
*James O. Lyford.
Charles C. Rogers.

CARROLL COUNTY.

Bartlett.

George W. M. Pitman.

Conway.

Nathaniel F. Barnes.
D. C. Bartlett.
Charles Coffin.
John B. Nash.
Fred B. Osgood.
John C. L. Wood.

Effingham.

Samuel Q. Dearborn.
C. J. Leavitt.

Madison.

Josiah H. Hobbs.

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Moultonborough.

*George P. Davis.
*Hayes Lougee.

Ossipee.

E. B. Smith.
Frank Weeks.

Sandwich.

*G. P. Davis.
A. Binney Tasker.
Paul Wentworth.

Tamworth.

*Levi W. Folsom.
*Henry Heywood.

Wakefield.

*John R. Bodwell.
*Charles Chesley.
Arthur L. Foote.
*Joshua G. Hall.
*Josiah H. Hobbs.

Wolfborough.

Sewall W. Abbott.
E. F. Cate.
William C. Fox.

CHESHIRE COUNTY.

Alstead.

*George Davis.
*Charles M. Foster.
Ezra M. Smith.
*Albert L. Wait.

Fitzwilliam.

Amos J. Blake.
*Charles H. Woods.

Hinsdale.

*George Howe.
E. J. Temple.

Jaffrey.

*Fred. W. Bailey.
*Clarence A. Parks.
*Frank B. Spalter.
*Jesse B. Twiss.
*C. Fred Webster.

Keene.

John T. Abbott.
Alfred T. Batchelder.
Hiram Blake.
*Harvey Carleton.
*Horatio Colony.
*E. P. Dole.
*John Henry Elliot.
William H. Elliot.
Francis C. Faulkner
*Francis S. Fiske.
*William L. Foster.
Silas Hardy.
Daniel K. Healey.
Charles H. Hersey.
*Frank H. Hills.
*Lewis W. Holmes.
Joseph Madden.
C. Fred Webster.
Leonard Wellington.
*George A. Wheelock.
Don H. Woodward.

Walpole.

Josiah G. Bellows.
B. Lovell.

Winchester.

*Ellery Albee.
Hosea W. Bingham.
Edmund M. Forbes.
*W. S. Myers.

COOS COUNTY.

Berlin.

Robert N. Chamberlin.
David J. Daley.
Hubert I. Goss.
*P. Webster Locke.
C. E. Niles.
I. Howard Wight.

Colebrook.

*Edgar Aldrich.
Albert Barker.
Jason H. Dudley.
T. F. Johnson.
*Max J. Madden.
James I. Parsons.
*Orman P. Ray.
*Daniel C. Remick.
*James W. Remick.
*F. M. Rhodes.
*William H. Shurtleff.

Gorham.

*Carl Abbott.
*James B. Chaffin.
Alfred R. Evans.
*Hubert I. Goss.
*Moses A. Hastings.
J. F. Libbey.
*Edward F. Philbrook.
Albert S. Twitchell.

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Lancaster.

*Josiah H. Benton, Jr.
George A. Cossitt.
Irving W. Drew.
Everett Fletcher.
Henry Heywood.
F. D. Hutchings.
Chester B. Jordan.
Henry O. Kent.
Benjamin F. Whidden.
Jared I. Williams.

Whitefield.

P. J. T. Kellogg.
C. Edward Wright.

GRAFTON COUNTY.

Ashland.

Asa W. Drew.
*William B. Fellows.
James L. Wilson.

Bath.

*George A. Bingham.
John L. Carleton.
*Alonzo P. Carpenter.
*Philip Carpenter.
*Samuel H. Goodall.
*Arthur Livermore.
*Frank S. Streeter.
Edward Woods.

Bristol.

*Frederic Bartlett.
*Napoleon B. Bryant.
*George B. Burns.
Ira A. Chase.
Kenson E. Dearborn.
George A. Emerson.
Lewis W. Fling.
*Samuel E. Holden.
*Benjamin F. Weeks.

Canaan.

*Isaac N. Blodgett.
Frank D. Currier.
Irving T. George.
George W. Murray.
*William B. Weeks.

Danbury.

Stillman Clark.

Enfield.

*Samuel Davis, Jr.

Hanover.

*Augustus O. Brewster.
James F. Colby.

Haverhill.

George W. Chapman.
*Charles A. Dole.
*William S. Franklin.
*C. E. George.
Charles S. Griswold.
*James G. Harvey.
*Luther C. Morse.
Samuel B. Page.
*Samuel T. Page.
*George F. Putnam.
*William H. Shurtleff.
Scott Sloane.
Edward W. Smith.
William F. Westgate.

Lebanon.

William H. Cotton.
*Aaron H. Cragin.
Charles A. Dole.
*Edwin B. Gould.
*Rodney Lund.
*James I. Parsons.
*Arthur L. Spring.
John L. Spring.
*William B. Weeks.

Lisbon.

George F. Morris.
*Harry M. Morse.

Littleton.

*Edgar Aldrich.
Albert S. Batchellor.
*William J. Bellows.
George A. Bingham.
George H. Bingham.
Harry Bingham.
*Charles W. Bolles.
*Dexter D. Dow.
*Charles S. Griswold.
Harry L. Heald.
James R. Jackson.
*John M. Mitchell.
William H. Mitchell.
*Daniel C. Remick.
James W. Remick.
*Elbert C. Stevens.
*Edgar M. Warner.

Monroe.

Charles H. Hosford.
*N. R. Sterling.

Orford.

Paul Lang.
*Thomas B. Mann.
*Samuel M. Wilcox.

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Plymouth.

George H. Adams.
*Henry W. Blair.
*Napoleon B. Bryant.
Alvin Burleigh.
*Benjamin Clark.
*Joseph Clark.
*Asa W. Drew.
*John W. Ela.
*Ellery A. Hibbard.
*C. A. Jewell.
Joseph C. Story.
Alvin F. Wentworth.

Rumney.

*John Herbert.
Samuel Herbert.

Warren.

*Joseph W. Armington.
*Joseph B. Hill.
*Samuel B. Page.
*George F. Putnam.

Wentworth.

*Charles H. Bartlett.
*Charles A. Dole.
William A. Flanders.
*Lewis W. Fling.
*Samuel Herbert.
*Benjamin Poole.

HILLSBOROUGH COUNTY.

Amherst.

*Edward S. Cutter.

Antrim.

Lemuel D. Cole.
*John McNeil.
*Brooks K. Webber.

Goffstown.

David A. Taggart.
Samuel Upton.

Greenville.

*Joseph C. Mason.
Herbert J. Taft.

Hillsborough.

*James F. Briggs.
Jay C. Browne.
*Charles A. Hamden.
Samuel W. Holman.
*Francis B. Peabody.
Frank H. Pierce.
Kirk D. Pierce.
*J. Oscar Teele.
Brooks K. Webber.

Manchester.

John H. Andrews.
*Benjamin F. Ayer.
*Asa W. Bartlett.
Charles H. Bartlett.
John P. Bartlett.
*William P. Bartlett.
John C. Bickford.
A. F. Bisson.
Henry W. Blair.
*Eugene M. Bowman.
Oliver E. Branch.
James F. Briggs.
Albert O. Brown.
*Benjamin B. Bunker.
Henry E. Burnham.
John W. Center.
Benjamin F. Clark.
*Henry S. Clark.
*Lewis W. Clark.
*Stephen G. Clarke.
Wallace B. Clement.
Lucien B. Clough.
Charles E. Cochran.
John G. Crawford.
David Cross.
*Moody Currier.
*Edward S. Cutter.
Josiah G. Dearborn.
*Arthur P. Dodge.
*James E. Dodge.
William H. Drury.
Joseph W. Fellows.
*George M. Flanders.
*James L. Foote.
John Foster.
W. S. Franklin.
John Gage.
*Christopher A. Gallagher.
*Lewis Goodale.
Arthur H. Hale.
*J. M. Harrington.
*Elijah B. Hazzen.
*Michael J. Healey.
Isaac L. Heath.
Timothy J. Howard.
Nathan P. Hunt.
Edwin F. Jones.
*Thomas O. Knowlton.
Joseph LeBoeuf.
*George A. Little.
William Little.
Frank C. Livingston.
Harry E. Loveren.
*Thomas D. Luce.
Alvin J. Lucier.
George I. McAllister.
*John B. Mills.
John T. Moore.
*Thomas J. Morrison.

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*John P. Newell.
Charles A. O'Connor.
Denis F. O'Connor.
Thomas J. O'Donnell.
Alpheus C. Osgood.
Jesse B. Pattee.
Robert J. Peaslee.
David L. Perkins.
*David P. Perkins.
Rosecrans W. Pillsbury.
George W. Prescott.
John H. Riedell.
*Dudley Roberts.
*Roland C. Rowell.
John J. Shea.
*Albion R. Simmons.
*Isaac W. Smith.
*Jonathan Smith.
James B. Straw.
Patrick H. Sullivan.
Cyrus A. Sulloway.
David A. Taggart.
*Henry W. Tewksbury.
Elijah M. Topliff.
James P. Tuttle.
*Samuel Upton.
*George H. Warren.
*Newton H. Wilson.
Gordon Woodbury.

Milford.

*Fred S. Hatch.
Carl E. Knight.
*Thomas L. Livermore.
*John L. Spring.
*Robert M. Wallace.

Nashua.

*John H. Andrews.
Henry B. Atherton.
William W. Bailey.
*Leonard F. Burbank.
Charles H. Burns.
*William L. Carter.
*Lyman D. Cook.
Edward S. Cutter.
Henry A. Cutter.
*Edward A. Dana.
Jeremiah J. Doyle.
*Fabius E. Elder.
George B. French.
Edwin B. Gould.
Stephen L. Hallinan.
Charles J. Hamblett.
Charles W. Hoitt.
*John W. Johnson.
Walter E. Kittredge.
*J. F. J. Ottorson.
Charles D. Parker.
Edward E. Parker.
Joseph B. Parker.
B. A. Pease.
George A. Ramsdell.
*George Y. Sawyer.
*J. C. Bates Smith.
*C. B. Tilden.
*Jesse B. Twiss.
*Robert M. Wallace.
Edward H. Wason.
*Samuel M. Wilcox.

New Boston.

Thomas O. Knowlton.
James P. Tuttle.

New Ipswich.

William A. Preston.
*John Q. A. Ward.

Peterborough.

James F. Brennan.
Frank G. Clarke.
*Edward S. Cutter.
Riley B. Hatch.
*William E. Knight.
*Eugene Lewis.
*George A. Ramsdell.
Ezra M. Smith.
Daniel M. White.

Weare.

Oliver E. Branch.

Wilton.

George E. Bales.
*Charles H. Burns.
*William H. Grant.
*John L. Spring.

MERRIMACK COUNTY.

Allenstown.

John B. Hazelton.
*C. B. Hildreth.

Andover.

Clarence E. Carr.
*Silas M. Ellis.
*Wolcott Hamlin.
Frank W. Proctor.
*Henry M. Putney.
George W. Stone.

Bradford.

Fred H. Gould.
*Edward B. S. Sanborn.
*Robert M. Wallace.

Concord.

John H. Albin.
Benjamin E. Badger.

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*George H. Blanchard.
*Frank N. Brown.
*Napoleon B. Bryant.
*William P. Buckley.
*Philip Carpenter.
*Harry M. Cavis.
*William E. Chandler.
Arthur H. Chase.
*Perley S. Chase.
*William M. Chase.
*Cornelius E. Clifford.
*Charles R. Corning.
*David S. Cowen.
Sylvester Dana.
Daniel B. Donovan.
David F. Dudley.
Samuel C. Eastman.
George M. Fletcher.
William W. Flint.
William L. Foster.
Frank A. Fowler.
*George R. Fowler.
John P. George.
William A. J. Giles.
Fred H. Gould.
*Amos Hadley.
Napoleon B. Hale.
Walter D. Hardy.
Henry F. Hollis.
*Benjamin T. Hutchins.
Arthur R. Kimball.
*Edward A. Lane.
Samuel G. Lane.
Edward G. Leach.
*James O. Lyford.
Anson S. Marshall.
Nathaniel E. Martin.
Joseph S. Matthews.
John M. Mitchell.
James H. Morris.
*Herbert L. Norris.
*True L. Norris.
*Alpheus C. Osgood.
*Samuel B. Page.
*Francis B. Peabody.
*Frank H. Pierce.
*Alvah K. Potter.
*Benjamin F. Prescott.
*William C. Prescott.
*Robert A. Ray.
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